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ABSTRACT

This unit contains primary documents and teaching activities related to an early 19th-century crime. The packet analyzes a murder that occurred at the Cherry Hill farm near Albany, New York, in 1827. The subsequent trial of the man and woman accused of the murder reveals much about the values and fabric of the society of the time. Elsie Whipple was tried and acquitted as an accomplice in the murder of her husband John, while her lover, Jesse Strang, was executed for the murder. Background information helps teachers use the sources and activities in the unit, with emphasis on three key documents: a pamphlet, "The Confession of Jesse Strang Made to C. Pepper, Esq., Albany, New York, August, 1827"; and two newspaper articles, "Jesse Strang's Trial, The Albany & Daily City Gazette, Albany, New York, August 4, 1827"; and "Elsie Whipple's Trial, The Albany Argus & Daily City Gazette,, Albany, New York, August 6, 1827." Includes teaching guides, student handouts and activities, a glossary, and a list of suggested readings. (EH)

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ED 401 173

DIFFERENT VOICES DIFFERENT TRUTHS

THE 1827 MURDER AT CHERRY HILL

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A SOCIAL HISTORY TEACHING UNIT

SO 026 069

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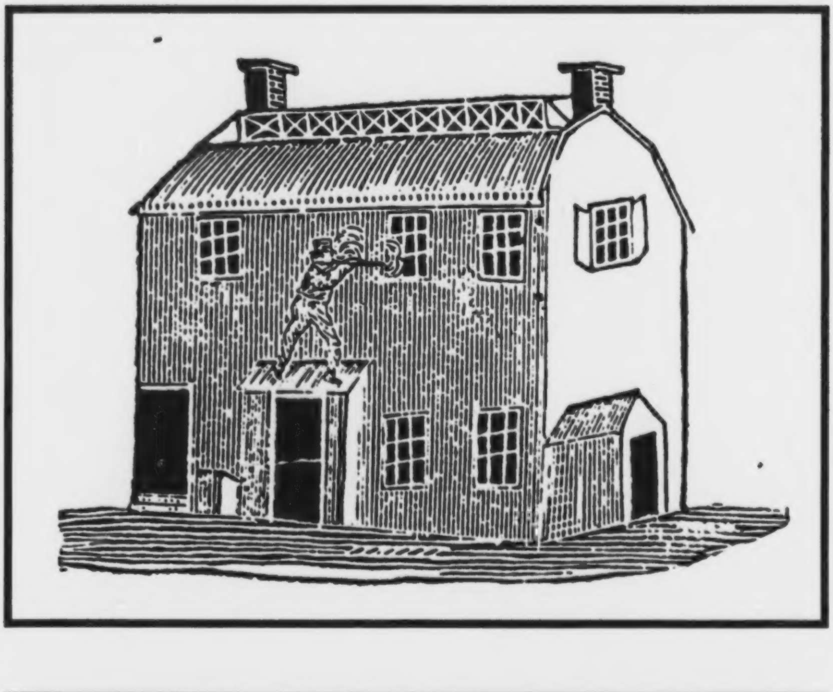
DIFFERENT VOICES DIFFERENT TRUTHS

THE 1827 MURDER AT CHERRY HILL



A SOCIAL HISTORY TEACHING UNIT

Historic Cherry Hill
Albany, New York

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Cherry Hill is a unique resource for studying family history. From 1787 to 1963, it was the home of five generations of one Albany family. Each generation left their influence on the house and grounds with alterations to the structure and additions of personal belongings. Today, the house and its contents are preserved as an historic house museum showing the changes and continuities in family life in America from the 18th to the 20th centuries.

Historic Cherry Hill offers special curriculum-related museum lessons for elementary, middle and high school students. Call for information regarding reservations and fees.

Cover: Woodcut of the murder of John Whipple. This woodcut appears on the title page of the pamphlet, Trial, Sentence, and Confession of Jesse Strang for the Murder of John Whipple. New York: C. Brown, 1827.

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Rebecca Watrous
Education Director
Historic Cherry Hill
1990

WHY TEACH ABOUT A MURDER?

Different Voices, Different Truths: The 1827 Murder at Cherry Hill is a teaching unit on social history designed for the seventh and eighth grades. It contains primary documents and accompanying teaching activities related to an early nineteenth century crime. Ideally, the unit could be taught as part of Unit 5 (Life in the New Nation) of the seventh and eighth grade Social Studies syllabus.

This teaching unit analyzes a murder which occurred at the Cherry Hill farm near Albany, New York, in 1827. The Cherry Hill mansion and farm were owned by the Van Rensselaers, one of the leading families of Albany. Living with the Van Rensselaers at that time was a relative, Elsie Lansing Whipple and her husband, John Whipple. Elsie had an affair with a hired hand, Jesse Strang, who also lived on the farm. On the evening of May 7, Jesse Strang climbed on the roof of a shed and, firing through a window, shot John Whipple. Jesse Strang was arrested and accused Elsie Whipple of being an accomplice in her husband's murder. Both Elsie and Jesse were tried. Jesse Strang was found guilty and hung in Albany's last public execution. Elsie was found innocent and left Albany shortly after her trial.

The murder at Cherry Hill provides an unusual opportunity to study early nineteenth century life and thought. Crimes, such as murder, reveal much about the values and fabric of a society. In examining the behavior and possible motives of the characters, we gain insight into the frictions that existed between individuals and their culture. How a crime was punished tells us much about a society's use of power and control, and about contemporary attitudes towards class and gender.

The 1827 murder at Cherry Hill aroused tremendous public interest. The crime and subsequent trials were extensively reported in the local and national press. Murders frequently made front page news, and the Cherry Hill murder was no exception. Newspaper reporters from New York City and Boston attended the trials and wrote feature stories for their eager readers. In addition, many newspapers ran the complete testimony of the witnesses at both trials with fascinating details of opinions, attitudes and lifestyles. Numerous pamphlets and broadsides were published containing the confession of the murderer, Jesse Strang, and the "life story" of his accused accomplice, Elsie Whipple. The event generated many public and personal records, such as legal documents, diary entries and letters. The unusual amount of detailed primary source material surviving from this event provides us today with an extraordinary glimpse of the texture of daily living in an early nineteenth century household.

This teaching unit emphasizes the following major concepts from the New York State Social Studies syllabus:

CHOICE
CULTURE
HUMAN RIGHTS
INTERDEPENDENCE
JUSTICE
TECHNOLOGY

It will also cover these social history topics or "postholes" from the syllabus:

Home and Family Living
Labor and Work Patterns
Religion
Crime and Punishment
Literature
Styles and Fashions of the 1820s

After successfully completing the activities in this unit, students should be able to meet the following general educational objectives:

1. Recognize different kinds of primary documents and identify their strengths and weaknesses.
2. Distinguish between fact and opinion in a document.
3. Identify points of view (bias).
4. Gather, organize and weigh the most important evidence in a document.
5. Make inferences and reasonable assumptions based on factual information in a document.
6. Analyze several documents in order to compare and contrast interpretations of the evidence.
7. Apply a valuing process consistently when judgments are made.
8. Present oral and written arguments based on conclusions draw from the documents.
9. Increase historical understanding of early nineteenth century life.

In field-testing, it was found that students tended to be negative towards Elsie Whipple. It is suggested that teachers strongly present the conditions for women, and for Elsie specifically, at the outset. Learning to keep an open mind is an important part of developing critical thinking skills.

Through their study of the murder at Cherry Hill, students will understand why historians and people who participated in events might have different interpretations of the same facts. This teaching unit encourages students to "hear" these different voices and then draw their own conclusions.

HOW TO USE THIS TEACHING UNIT

This unit offers a broad range of teaching activities. Teachers are able to choose those activities most appropriate to the interests and competencies of their students. It is not expected that teachers will complete all the activities in this unit. The wide selection of activities allows teachers to adjust the unit from class to class or year to year to meet the needs of various students. Many of the activities lend themselves to lessons involving cooperative learning. Social Studies and English teachers may want to work together to take advantage of the multi-disciplinary nature of these materials.

The components of this unit are:

1. Background Information
    - List of Documents
    - Explanation of Documents
    - List of Historical Characters
    - Overviews of Major Themes and Characters
    - Glossary
    - Suggested Readings
2. Sources and Activities
    - Summaries of Key Documents
    - Teaching Sections

The background information will help teachers use the sources and activities in this unit. Included is a list of the individual documents in each section and an explanation of the major types of documents found in the unit. Teachers may wish to refer to the List of Historical Characters for help in identifying the people mentioned in the documents. Particular attention should be given to the Overviews of Major Themes and Characters which provide important background information necessary in teaching this unit. The glossary on page 271 gives definitions of unfamiliar and archaic words found in the documents. Suggested Readings on page 275 will provide interested teachers with additional information on the major themes.

The sources and activities are the major components that will be used by the students. It is recommended that teachers make copies of the summaries of the three key documents on pages 71 through 126 for each student in the class. These copies may then be shared with other classes and kept for next year. Facsimiles of the key documents may be found in a pocket on the back cover. Teachers may want to post these for students so they can see what early nineteenth century newspapers and gallows literature looked like. The five teaching sections follow the sequence of events leading up to, including and following the murder at Cherry Hill.

Each section contains:

- Educational Objectives
- Teaching Activities
- Information Sheets consisting of facsimile documents, transcriptions and other materials
- Student Worksheets
- Answer Key to Student Worksheets
- Illustrations (Sections 2,3,4)

It is recommended that students have their own folders to keep these materials, especially since several Information Sheets and Student Worksheets are used in successive sections. Students could be encouraged to use some of the Answer Keys to correct their own worksheets.

There are three levels of teaching activities in each section:

LEVEL 1 - BASIC
LEVEL 2 - ENRICHED
LEVEL 3 - EXTENDED

Level 1 (Basic Activities) is the minimum level needed to give students a basic understanding of the murder, the history of the period, the difference between history and the past, and the process of historical investigation. Level 2 (Enriched Activities) can lead to a more complete understanding of the social history of the period and the methods of historical investigation. Level 3 (Extended Activities) can be selected for more in depth study for interested or advanced students. Completion of Level 1 would take approximately two weeks; completion of Level 1 and 2 about three weeks. Many of the activities could be assigned as homework in the interest of time.

It is recommended that teachers cover the Level 1 activities so students gain a basic understanding of the characters and events. Teachers are not expected to complete all the activities in this unit but rather to select and adapt the materials to meet the needs of their various classes.

LIST OF DOCUMENTS

Summaries of Key Documents

1. Pamphlet. The Confession of Jesse Strang Made to C. Pepper, Esq., Albany, New York, August, 1827.
2. Newspaper Article. Jesse Strang's Trial, The Albany Argus & Daily City Gazette, Albany, New York, August 4, 1827.
3. Newspaper Article. Elsie Whipple's Trial, The Albany Argus & Daily City Gazette, Albany, New York, August 6, 1827.

Section 1 - History/Herstory

4. Newspaper Article. "Trials for Murder," Niles' Weekly Register, Baltimore, Maryland, August 11, 1827.
5. Pamphlet (paragraph 91). The Confession of Jesse Strang Made to C. Pepper, Esq., Albany, New York, August, 1827.
6. Newspaper Article. Elsie Whipple's Statement, Elsie Whipple's Trial, The Albany Argus & Daily City Gazette, Albany, New York, August 6, 1827.

Section 2 - Setting the Stage

7. Newspaper Article. "Mystery Unravelled," Albany Daily Advertiser, Albany, New York, May 21, 1827.
8. Newspaper Article. "[From our Reporter]," New-York American, New York, New York, July 31, 1827.
9. Newspaper Article. Excerpt from Judge Duer's Ruling, Elsie Whipple's Trial, The Albany Argus & Daily City Gazette, Albany, New York, August 4, 1827.
10. Newspaper Article. "[From our Reporter]," New-York American, New York, New York, August 1, 1827.
11. Newspaper Article. "The Albany Murder," New York Commercial Advertiser, New York, New York, May 23, 1827.
12. Newspaper Article. "Matrimonial Maxims," The Standard, Albany, New York, July 12, 1827.
13. Map. Burr Map of the Counties of Albany and Schenectady, 1829.
14. Newspaper Advertisement. "Hudson River Steamboat Line," Albany Daily Advertiser, Albany, New York, May 29, 1827.

15. Newspaper Advertisement. "E. Young's," The Standard, Albany, New York, August 16, 1827.

16. Newspaper Advertisement. "Erie Canal Packet Boats," Albany Daily Advertiser, Albany, New York, May 23, 1827.

17. Newspaper Article. "Steam-Boat Race," Albany Daily Advertiser, Albany, New York, May 26, 1827.

18. Newspaper Notice. "Slavery forever abolished in this state," The Albany Gazette, Albany, New York, July 3, 1827.

19. Newspaper Article. "Celebration of the Abolition of Slavery in the State of New York," The Albany Gazette, Albany, New York, July 10, 1827.

20. Newspaper Article. "Coloured Population," The Comet, Albany, New York, August 4, 1827.

21. Map. Cammeyer's Plan of the City of Albany, 1829.

Section 3 - The Murder

22. Newspaper Article. "Horrible Assassination," The Albany Argus & Daily City Gazette, Albany, New York, May 9, 1827.

23. Newspaper Article. "Alarming," The Antidote, Albany, New York, May 19, 1827.

24. Newspaper Notice. "Proclamation," The Standard, Albany, New York, May 22, 1827.

25. Newspaper Notice. "A Card," The Standard, Albany, New York, August 16, 1827.

26. Newspaper Notice. Funeral of John Whipple, The Albany Argus & Daily City Gazette, Albany, New York, May 9, 1827.

27. Newspaper Article. Burial of John Whipple, The Albany Gazette, Albany, New York, May 15, 1827.

28. Legal Record. John Whipple's Letters of Administration. Filed 1829.

Section 4 - Arrests and Trials

29. Currency. One dollar. The Bank of Niagara, Buffalo, New York, 1825.

30. Currency. Two dollars. New York State Bank, Albany, New York, 1812.

31. Currency. Seventy-five cents. Princetown, New York, 1816.

32. Currency. One dollar. The Bank of Niagara, Buffalo, New York, 1827.

Section 5 - Aftermath

33. Newspaper Article. "The Sentence," The Albany Argus & Daily City Gazette, Albany, New York, August 6, 1827.

34. Newspaper Notice. "The Confession of Jesse Strang," The Standard, Albany, New York, August 16, 1827.

35. Newspaper Article. "Execution of Strang," New-York American, New York, New York, August 28, 1827

36. Portion of a Letter to Miss Louisa Park, Oxford, New York, from John B. Park, August 27, 1827.

37. Newspaper Article. "Old Albany's Famous Public Hanging Place," Albany Evening Journal, Albany, New York, September 12, 1905.

38. Newspaper Article. "Hanging Was a Public Affair," The Knickerbocker News, Albany, New York, February 25, 1967.

39. Newspaper Article. "Strang's Confession," Newark Sentinel of Freedom and New Jersey Advertiser, Newark, New Jersey, September 18, 1827.

40. Broadside. The Dying Words, Confession, and Execution of Jesse Straang, For the Murder of John Whipple, at Albany, August 27, 1827, no date.

EXPLANATION OF DOCUMENTS

Broadsides

Broadsides were a common method for spreading information in the eighteenth and nineteenth centuries. Newspapers did not contain extremely current information as they do now, and of course other methods for passing current news, such as television and radio, were over a century away from development. Broadsides were essentially "posters" intended for quick reading and to inform the public of current developments and activities. They were easier to read than newspapers and were readily available in public places, so they reached a much broader section of the general public.

Confessions

The Confession of Jesse Strang was typical of the type of gallows literature sold at public executions in the eighteenth and early nineteenth centuries. This literature consisted of pamphlets and broadsides supposedly containing the lives, last words and dying confessions of prisoners. Care must be taken in using them as historical records. While they contain valuable information about the daily life and cultural values of a particular period, they cannot be accepted completely at face value. They were often edited or written by someone other than the criminal. Ministers and public officials, for example, often molded the outline of the prisoner's story into a moral lesson for the public.[1] In Jesse Strang's case, his lawyer, Calvin Pepper, prepared his confession, a 35 page pamphlet. Gallows literature often took a similar format, using familiar words and addressing similar issues.[2]

Currency

American currency in the 1820s was not standardized as it is today. The Revolutionary War was not such a distant event at that time, and many actions taken by the new nation as a result of that event were still underway in the 1820s. Towns, cities, counties and states had substantial power, and in fact these bodies were anxious to retain their rights and privileges. It is important to remember that the federal government was not a powerful regulating body at this time.

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[1] Louis P. Masur, Rites of Execution: Capital Punishment and the Transformation of American Culture, 1776-1865 (Oxford: Oxford University Press, 1989), p. 33.

[2] Ibid.

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Currency is one of the areas in which the federal government did not have strict control. Individual banks, cities, and even private companies could issue currency, or bank notes. Each issuing body designed its own notes, so a wide range of currency was available for use. The currency also varied in the amount it represented. There were notes for amounts such as seventy-five cents, two dollars, five dollars or fifteen dollars. In addition to American currency, foreign coins from Great Britain, France and Spain were also still sometimes used.

Bank notes were commonly signed by the actual individuals designated by the issuing organization. Notes from a range of locations could be found in any city where commerce was active, and Albany's role as a trading center resulted in a great variety of currency types being circulated.

Letters

Letters can provide a look into the intimate details of daily life. Most letters contain two levels of information: that which a writer intended to convey to a specific reader and that which can be deduced.[3] The first kind of information is more obvious. It might show attitudes or relationships, hint at people's health or reveal their work and leisure habits. Mr. Park's letter (in Section 5, Aftermath) clearly shows his attitude towards public execution but it also contains a second level of information. From his comments, we can deduce his views concerning men's and women's roles.

Historians also use letters to look for confirmation of historical trends which the writers, as participants, often cannot perceive.[4] Mr. Park's feelings about public execution were being echoed on a national level and resulted, in the 1830s, in private rather than public punishments.

Although letters may contain a great deal of personal information, this can also make them difficult to fully understand.

Letters of Administration

When a person dies without leaving a will, a court appoints an administrator to make an inventory of the person's debts and assets. This list is called "letters of administration." Although they are public records, they contain a great deal of personal information. John Whipple's letters of administration listed what he owed the Van Rensselaer family and what they, and others, owed him. By examining John Whipple's expenditures for himself and his family, we gain information about their leisure activities, schooling, food and clothing as well as when they boarded at Cherry Hill. Letters of administration can show a person's economic level and their social and business relationships.

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[3] Carol Kammen, On Doing Local History: Reflections on What Local Historians Do, Why, and What It Means (Nashville: American Association for State and Local History, 1986), p. 52.

[4] Ibid.

Newspapers

Newspapers in the 1820s were a major means of spreading information. They provided most of the reading material available to citizens of New York. As a result, a large number of newspapers existed during this time period, although some may not have lasted for extensive periods of time. The cost of newspapers was high, so they were often kept for weeks, and shared among family members and friends.

Because newspaper owners found it difficult to have enough regular subscribers to maintain a solid financial base, they usually aligned themselves with a specific political party or faction. This helped them both with subscribers, and got them contracts for printing and for publishing legal notices.

Newspaper writers in this period did not collect all their information first hand. In many cases, they relied on information they read elsewhere, used sources who were unnamed to provide them with "facts," or provided their own interpretation of facts without having a firm base for doing so.

Newspapers were often highly partisan at this time. Editors used their newspapers to present the opinions of themselves and their supporters. Often these opinions were not confined to the editorial pages as they are today, but they dominated the way in which news was reported.

LIST OF HISTORICAL CHARACTERS

Barringer, Catharine - lived at Hill's tavern. She testified at Elsie Whipple's trial.

Bates, Otis - owned a farm and bar-room south of Cherry Hill. Jesse Strang worked for him briefly.

Bates, Otis, Jr. - son of Otis Bates. He shared a room with Jesse Strang at his father's house.

Becker, Eleanor - daughter of the jailer, John Becker. She testified at Elsie Whipple's trial.

Becker, John - jailer at the Albany County prison where Jesse Strang and Elsie Whipple were confined. Jesse Strang confessed the murder to him. He testified at both trials.

Cole, John - police magistrate who questioned Jesse Strang and Elsie Whipple about the murder. He testified at both trials.

Conklin, Charles - owned a livery stable in Albany. He rented a wagon to Jesse Strang and testified at both trials.

Cushman, John - He testified at Jesse Strang's trial about Strang's examination in prison.

Duer, Judge William - judge at the trials of Jesse Strang and Elsie Whipple.

Esleeck, Welcome - alderman who presided at both trials. He visited Strang in prison and testified at Jesse's trial.

Fay, Edward - gunsmith from Albany who sold a rifle to Jesse Strang. He testified at both trials.

Fobes, Philander - manager of the Columbian Hotel in Albany. He testified at both trials.

Foot, Samuel - counsel for the prosecution at the trials of Jesse Strang and Elsie Whipple.

Foot, Starr - barkeeper at the Columbian Hotel. He testified at both trials.

French, Abel - foreman of the Grand Jury. He testified at Strang's trial.

Groesbeeck, Mrs. - visited Elsie Whipple at Cherry Hill. She lived in Albany.

Hill, Amanda - visited Elsie Whipple at Cherry Hill. She lived in Sunderland, Vermont, and testified at Elsie Whipple's trial.

Hill, Frances - wife of James Hill, who had a tavern on the turnpike between Schenectady and Troy. She testified at both trials.

Hill, James - owned a tavern on the turnpike between Schenectady and Troy. He testified at Jesse Strang's trial.

Husted, Mary - storekeeper in Albany. She testified at Elsie Whipple's trial.

Jack or George - black youth, 18 or 19 years old, who worked at Cherry Hill. He ran away in October 1826.

Jackson, Dinah - black woman who was a slave at Cherry Hill prior to her emancipation in July 1827. Afterwards, she remained at Cherry Hill as a servant. Dinah testified at both trials.

Lacey, Rev. William - rector of St. Peter's Church in Albany. He visited Strang in prison and escorted him to the gallows. Rev. Lacey testified at Strang's trial.

Lansing, Abraham A. - grandfather of Elsie Whipple.

Lansing, Abraham D. - father of Elsie Whipple. He died when Elsie was a young child.

Lansing, Christina Voorhees - mother of Elsie Whipple. She died when Elsie was a teenager.

Livingston, Edward - district attorney who served as counsel for the prosecution at both trials.

Lush, Samuel - testified at Jesse Strang's trial about Strang's examination in prison.

M'Kown, James - (McKown) served as recorder at Jesse Strang's examination in prison. He testified at Jesse Strang's trial.

Montgomery, Nancy - resided at Hill's tavern. She testified at both trials.

Oakley, Thomas - defense counsel for Jesse Strang. He was a lawyer from Poughkeepsie who was hired by Strang's father.

Orton, Joseph - Jesse Strang's alias.

Patrick, Henrietta - niece of John Whipple. She was a tailoress and boarder at Cherry Hill. Henrietta testified at Elsie Whipple's trial.

Pemberton, Thomas - coroner in charge of the inquest on John Whipple's body. He testified at Jesse Strang's trial.

Pepper, Calvin - defense counsel for Jesse Strang. He wrote The Confession of Jesse Strang based on Strang's account of the events.

Russell, Andrew - grand juror. He testified at Jesse Strang's trial.

Sanford, Gitty - (or Getty) long time acquaintance of Elsie Whipple. She lived in Albany and testified at Elsie's trial.

Schoonmaker, Henry - turnkey at the Albany County prison where Jesse Strang and Elsie Whipple were confined. He testified at Elsie Whipple's trial.

Sherman, Josiah - visited Jesse Strang in prison and testified at his trial.

Stafford, Spencer - testified at both trials concerning the Hartford Phoenix Bank bill.

Strang, Daniel - father of Jesse Strang.

Strang, Jesse - a farm hand at Cherry Hill who murdered John Whipple. His nickname was "Doctor". Strang was about 30 years old.

Tabor, Mr. - defense counsel for Elsie Whipple.

Townsend, Dr. Charles - testified at both trials concerning the Hartford Phoenix Bank bill.

Treat, Dr. Samuel - testified at Jesse Strang's trial about the powder found at Cherry Hill.

Treat, Mr. - alderman who presided at both trials.

Van Rensselaer, Abraham - twenty-two-year-old son of Catharine and Philip P. Van Rensselaer. He was their oldest child. Abraham testified at both trials.

Van Rensselaer, Arriete - youngest daughter of Catharine and Philip P. Van Rensselaer. She was eight years old.

Van Rensselaer, Catharine - wife of Cherry Hill owner, Philip P. Van Rensselaer. Catharine was Elsie Whipple's aunt: her brother was Abraham D. Lansing, Elsie's father. Her nickname was Aunt Caty.

Van Rensselaer, Elsie - eleven-year-old daughter of Catharine and Philip P. Van Rensselaer.

Van Rensselaer, Judge John S. - magistrate who questioned Jesse Strang in prison and family members at Cherry Hill. He testified at both trials.

Van Rensselaer, Killian - (Kilian) unmarried adult brother of Philip P. Van Rensselaer. He lived in the north half of Cherry Hill with his mother, Maria Sanders Van Rensselaer.

Van Rensselaer, Maria - oldest daughter of Catharine and Philip P. Van Rensselaer. She was 18 or 19 years old. Maria testified at both trials.

Van Rensselaer, Maria Matilda - unmarried adult sister of Philip P. Van Rensselaer. She lived in the north half of Cherry Hill with her mother, Maria Sanders Van Rensselaer.

Van Rensselaer, Maria Sanders - mother of Philip P. Van Rensselaer, owner of Cherry Hill. She lived in the north half of the house. Maria was the wife of Philip Van Rensselaer, the original owner of Cherry Hill who was Philip P.'s father.

Van Rensselaer, Philip P. - owner of Cherry Hill. He and his wife, Catharine Lansing Van Rensselaer, had four children. Philip P. died suddenly of unknown causes in February 1827.

Van Rensselaer, Stephen - Grand Juror who visited Strang in jail and testified at his trial.

Van Vechten, Abraham - defense counsel for Elsie Whipple.

Whipple, Abraham - six-year-old son of Elsie and John Whipple.

Whipple, Elsie - twenty-five-year-old wife of John Whipple, the murder victim. She was a relative of the Van Rensselaer family: Catharine Van Rensselaer was her aunt. She and her husband, John, and son, Abraham, were boarders at Cherry Hill.

Whipple, John - thirty-three-year-old murder victim. He was a contractor for the Delaware and Hudson Canal and boarded at Cherry Hill with his wife, Elsie and son, Abraham. John was murdered by Jesse Strang on May 7, 1827.

Whipple, Melancton - nephew of John Whipple. He visited Albany around the time of the murder and later testified at Elsie Whipple's trial.

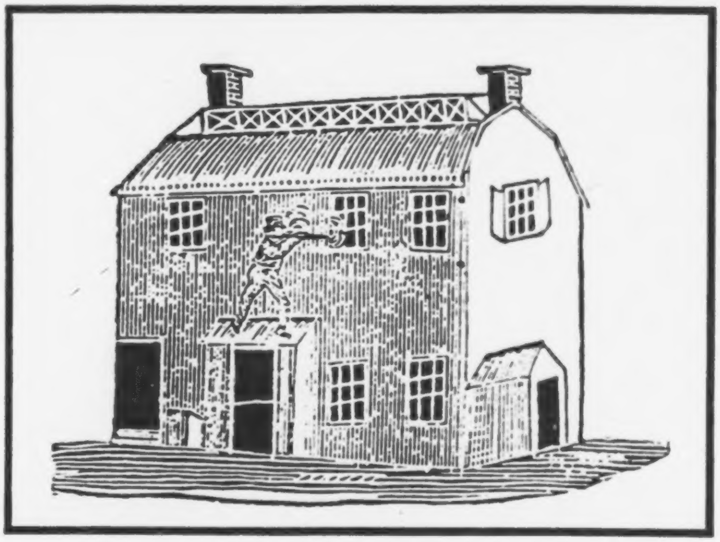
Williams, John - spoke with Strang in prison and testified at his trial.

Williams, Mr. - defense counsel for Elsie Whipple.

Wilson, George - a hired laborer at Cherry Hill until April 1827. He was the brother of William Wilson.

Wilson, William - a hired laborer at Cherry Hill and brother of George Wilson. He testified at Strang's trial.

Wing, Dr. Joel - physician for the Whipple family. He assisted at the coroner's inquest and testified at both trials.



OVERVIEWS of MAJOR THEMES and CHARACTERS

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HISTORY/HERSTORY

How are we to determine what really happened at the Cherry Hill farm on that moonlit Monday evening of May 7, 1827? Was Elsie Whipple an accomplice in the murder of her husband, John, as the killer, Jesse Strang, insisted? In answering these and other questions, students will become personally involved in the process of trying to understand and interpret the past.

Historians are much like criminal investigators. They must gather, examine, sort, select and evaluate the evidence in an attempt to reconstruct what happened. Through critical analysis they must ask questions and draw conclusions based on the most logical explanation of the available evidence. This process of historical investigation is complex, and both exciting and frustrating. Because the evidence is always incomplete, historians can never know the whole truth. Our perceptions are always limited by the amount and kind of written records or physical remains surviving from the past. For example, with the exception of the brief police report read at her trial, little documentation exists describing Elsie Whipple's version of the events. Instead, her words and actions are described for us through the eyes of others: in Jesse Strang's confession and in the testimony of family members, relatives and friends who were witnesses at the trial. On the other hand, Jesse Strang's version survives intact, which invariably adds weight and credibility to his side of the story.

This unit contains a variety of personal and public records for students to examine. They are of two general types: primary records which are contemporary, often, eyewitness accounts of an event and secondary records which include later accounts, not based on eyewitness testimony or experience. All of the records in this unit are primary with the exception of the 1905 and 1967 newspaper articles in Section 5, Aftermath.

In order to judge the reliability of an historic record, historians must evaluate the person or source who created it. Historian Thomas Felt lists the following three criteria for evaluation:[1]

1. Closeness. How close is the source to the event? Was the record created by an eyewitness or participant? Historians generally choose the more immediate source and, for that reason, primary rather than secondary records are preferred.

2. Competence. Which source is most capable of understanding and describing the situation?

3. Impartiality. Which source has the least to gain from distorting the records? A source may lack impartiality by allowing omissions and distortions or because of emotional involvement in the event. If so, the source is biased.

Does a major record of the murder, The Confession of Jesse Strang, meet these criteria? Certainly it passes the test of closeness, yet a deeper look reveals that this document is once removed from the participant: it comes to us through the words of his lawyer, Calvin Pepper. Unlike Strang, Pepper was a well-educated man who may have altered and polished Strang's story. Since this confession was intended for publication, both Strang and his lawyer were undoubtedly self-conscious in their presentation of the events. Because it was created intentionally, it becomes suspect as evidence. Strang's confession has the most difficulty in passing the test of impartiality. We must question the reason for this document's creation. If revenge against Elsie is a believable motive, The Confession of Jesse Strang becomes less reliable as evidence.

What about the character of the participants? Are they trustworthy, credible sources whose words can be accepted at face value? Despite the fact that Strang wished to present himself in the best possible light in his own "history," records show he was a self-confessed murderer who had deserted his wife and family, faked his disappearance and assumed a new identity. Elsie, on the other hand, was unfaithful to her husband and described by various family members and others as vain, hysterical, complaining and foolish. Both Jesse and Elsie were quite fallible human beings whose words must be verified by others. Separating fact from opinion in people's accounts is an important part of both criminal and historical investigations. At least two pieces of independent evidence are needed to be assured of any fact.[3]

Historians must examine the motives for people's actions according to the standards of their time period. In the 1820s when a woman married, her money and possessions became the property of her husband. Was Elsie, as Strang accuses, "the foundation of the whole of it"? Was she using Strang as the means to dispose of her husband and, thus, reclaim her money and property? Or, as the judge stated at Strang's trial, was she the victim, seduced by Strang in order "to obtain possession of her person and property . . . a fit instrument in the hands of a designing man, but destitute of those qualities which might be supposed to have swayed the mind or controlled the actions of the person with whom she had had an illicit intercourse"? It may be argued that Elsie was found innocent because Albany's upper class closed ranks for one of its own or even that the culture in general viewed women as the weaker, more malleable sex, incapable of such cold-blooded manipulation. Neither argument proves Elsie's guilt. The fact remains that no witnesses who testified could verify Strang's version of her complicity in the murder. Students, like historians, must form their own opinions of her guilt or innocence.

PORTRAIT OF A DECADE

The 1820s were a volatile decade of discontent and optimism in America. Politically they were marked by expansion into new territories and growing sectionalism, by inequity and extension of individual rights; economically by boom and bust; socially by excess and reform. It was a period of change for many Americans. By the end of the 1820s the old patterns of pre-industrial agrarian life were still dominant, but different patterns were now emerging with the rise of a new, large-scale manufacturing economy.

The early nineteenth century was a time of rapid population growth and mobility for the American people. In the 1820s cities and large towns began to grow faster than the countryside.[3] The expansion and settlement of new American territories were major issues of this period. The purchase of the Louisiana Territory from France (1803) had doubled the size of the nation. In 1819 the government acquired Florida from Spain and organized it into a territory in 1822. From 1821 until 1830 Spain allowed Anglo-Americans to colonize Texas. President Monroe signed the Monroe Doctrine in 1823 warning Europe not to interfere in the Western Hemisphere and promised the United States would not become involved in European internal affairs. In 1825 Congress adopted a policy of removal of Eastern Indian tribes to territory west of the Mississippi River allowing settlement by white settlers on Indian lands.

Sectional differences in this decade first flared with the debate over Missouri's admission to the Union in 1820. The debate did not focus on the morality of slavery but, rather, on the political rivalry between slave and free states. The resulting Missouri Compromise prohibited slavery in the Louisiana Territory north of latitude 36° 30'. Missouri was admitted as a slave state and Maine a free state. The balance of political power between these two blocs of states, slave and free, was maintained. Economic rivalries between the North and South and Northeast and West also created sectional differences during the 1820s.

There were three presidents during this period. James Monroe (1817-1825) and John Quincy Adams (1825-1829) represented the aristocracy of Virginia and Massachusetts. Andrew Jackson (1829-1838), the first western president, represented the interests and needs of the "common man." At the beginning of the 1820s, great political inequities existed among Americans. Primarily well-to-do white Protestant males held political power since many states had property and religious qualifications for voting. Women were totally disenfranchised as were slaves, most free blacks and native Americans. During the course of the decade many states, like New York, changed their constitutions to eliminate the property requirements thus allowing all white males over 21 to vote. Emancipation of slaves also spread in the North. New York State abolished slavery on July 4, 1827. However, at the same time, the state legislature increased the property qualifications for free blacks to vote. Women, although taxed on property they owned, could not vote until almost a century later.

Economically the nation suffered two periods of depression. The Panic of 1819 resulted in widespread unemployment and bankruptcy. The country recovered slowly, prospered, and then was hit with another depression in 1828-9.[4] Part of the problem stemmed from banks issuing too much paper money and overextending credit. When people became indebted, creditors could not collect and they in turn became indebted. This cycle extended rapidly through society and multitudes became bankrupt.[5] The situation was especially serious since debtors were imprisoned thus preventing them from paying their bills. Indeed, the majority of the inmates in jail at that time were debtors. It was not until 1831 that a law was passed in New York State which abolished prison for debtors.[6] If the 1820s were a time of insecurity and risk, they were also a time of prosperity for many. The Erie Canal was completed in 1825. Not only did it quicken the pace of commerce and bring profit to the towns and villages along its route but it also tied the West to the Northeast and made New York City the busiest port in the country. Albany, the eastern terminus for the canal, also felt its impact. The city's population grew rapidly after 1825 and Albany's significance as a shipping and transportation center greatly increased. The frenzy of building and improving transportation routes -- both canals and turnpikes -- continued unabated throughout the decade.

In the 1820s the United States had an agricultural economy with most Americans living in the countryside on farms. However, large scale manufacturing began to appear at this time in rural villages and cities. Manufactured goods, like textiles, began to be made away from the home in mills and small factories situated on streams and rivers for water power. The beginnings of mechanization brought changes in the pace, scale and organization of work. It became more regulated and monotonous, time rather than task oriented. New patterns of work resulted in new ways of living. The workman, who once boarded in the home of his employer, now lived apart in a boardinghouse or special workers' housing. With the separation of workers and their employers, class differences became more obvious. Americans first began to express their discontent with industrialization and its accompanying class differences in the 1820s.[7] Workers' societies, political parties and protests were organized. Albany's first labor strike occurred in May, 1826, when carpenters demanded higher wages.[8] Elsewhere in the Northeast, workers were agitating for a ten-hour rather than a twelve-hour or more workday.[9] Social unrest was evident in other segments of the population. Student rebellions against college authorities were becoming widespread. In the 1820s, students at

Brown University stoned the president's home. Elsewhere fistfights between students and professors and food riots were typical.[10]

Excessive drinking was another major social problem of the decade. In the early nineteenth century, hard liquor was an accepted part of everyday life. Drinking was widespread at all social occasions and offering alcohol was an important sign of hospitality. Liquor was also common in the work place: both on the farm after hard physical labor and in the workshop. Often it was dispensed as part of a laborer's wage. Men and women of all social classes drank; even children commonly consumed hard cider. In the late 1820s it is estimated that Americans drank a record of almost four gallons of pure alcohol per person annually -- about double the per capita consumption of today.[11] However, by the mid 1820s attitudes toward drinking changed, and it began to be perceived as a social evil. The American Temperance Society, founded in 1826, began to urge moderation in alcohol consumption. The temperance movement grew out of the strong religious revivalism of the period. The Second Great Awakening swept the country in the early 1800s, a time of political, economic and social divisiveness in America. The Awakening united thousands of people in a common goal of remaking society in God's name.[12]

New ideas about free will, salvation through conversion and the ability to perfect oneself and others replaced older Calvinistic beliefs in predestination and the hopelessness of human effort. Through highly emotional and public conversions at hugely attended prayer sessions and camp meetings, individuals pledged themselves to a new standard of piety and moral behavior. Churchgoing now became more widespread. Voluntary associations formed which agitated not only for temperance but also for other social reforms such as the establishment of orphan asylums and an end to dueling.

The 1820s were a decade of both discontent and optimism. Profound changes in the patterns of living and working were just beginning. In this seminal decade germinated the seeds of industrialization and broad social reform movements, such as abolition and women's suffrage, which would revolutionize people's values and lifestyles in the coming decades.

FAMILY AND HOME

Significant changes began to occur in the American family and the home in the early nineteenth century. The function of the family and the relationship among its members began to alter with the rise of industrialization and a new spirit of religious reform. New domestic technologies brought major conveniences to American homes. Yet by twentieth century standards, homes of this period would be considered crowded and uncomfortable.

In the early nineteenth century the American family performed many economic and social functions. Foremost, it was a unit of production and consumption.[13] All people in the household contributed to the economic survival of the family. This meant that, unlike today, parents, children, in-laws and other relatives lived closely together, sharing a common work experience. The family also performed many social functions at this time that were later taken over by public institutions. Education, religious instruction and care for the ill, elderly and insane were all part of the family's role. Interdependence strengthened family ties and ensured a family's continuity.

By the 1820s some American families began to live differently. Fathers took employment outside the home in offices, workshops and factories. Sons and daughters left the farm to work in cities and the new textile mills where they could earn their own wages and have a measure of independence from their parents. By taking separate jobs outside the home, family members became more isolated from each other. The corporate family economy so typical of agrarian life began to break down.

Family relationships in the home also began to change. In the eighteenth century, the male head of the household had authority over all domestic matters including overseeing the upbringing of children. However, in the early nineteenth century mothers began to be mentioned in advice books for the first time as the preferred child rearers in the family. The change in a woman's role resulted from new attitudes concerning children as well as women. The Second Great Awakening ended the belief in infant depravity and damnation which stemmed from earlier Puritan beliefs that children were born innately evil, sharing in Adam's original sin.[14] Although obedience and submission to parents were still expected, it was now more widely thought that a child's behavior could be shaped and improved through loving guidance. Women, who had been major participants in the religious revivals and reform movements of the Second Great Awakening, were increasingly charged with the moral and spiritual education of their families. Although the hierarchy of family structure remained the same, with the man at the top, there was an increased recognition by society of the worth of women and children.

New technologies in the early nineteenth century brought improvements to the American home, making it more comfortable than earlier generations could have imagined. Innovations in lighting, heating and cooking made domestic tasks less arduous and time consuming. Candles and oil lamps continued to be the major lighting sources, as they had been in the colonial period, but improved wicks and lamp designs in the 1820s made them more efficient. The invention of friction matches at the end of the decade was a major improvement over the earlier use of tinder boxes and phosphorous bottles for fire starting. Advertisements for cast-iron stoves appeared in Albany newspapers in the early nineteenth century. Despite the fact that stoves were known to be more efficient, fireplaces continued to be used in many American homes, including Cherry Hill, until well into the mid-nineteenth century. A shortage of wood in the 1820s led to use of a new fuel -- coal. Wood became scarce in the Northeast due to the enormous demands of households, factories and steamboats.[15] Coal was a cheap and abundant alternative. Improvements were also made in cookstoves in the early nineteenth century. After 1815 iron cookstoves or ranges were typical in wealthy homes and by the 1830s in middle class homes.[16] It can be assumed that the stove in the kitchen at Cherry Hill mentioned by Jesse Strang in his Confession was probably a cookstove. If so, it would have seemed like a marvelous convenience compared to the back-breaking, dangerous work of cooking over an open fireplace.

What was it like to live in an Albany household in the early nineteenth century? A look at Cherry Hill in the 1820s presents a striking picture of the crowded conditions of a household where different genders, ages and races lived together in proximity. Most historians have said that the nuclear family, consisting of parents and children, has always been the major component of the American household. However, recent scholarship indicates that households with extended families were more common than previously thought.[17] This theory contends that most people in the nineteenth century lived in extended households at some time during their lives, particularly in times of crisis. The American household may have been in a state of constant flux, alternately swelling and shrinking. The nature of the Cherry Hill household in the 1820s supports this last argument. When Jesse Strang was hired at Cherry Hill in 1826, fifteen people lived in the house including three generations of family members, relatives, hired help and a slave. A closer look at the Cherry Hill household shows typical kinds of people who lived in extended family households: widows, widowers, unmarried adult children and boarding relatives.

Philip P. Van Rensselaer had inherited Cherry Hill from his father, and as the household head, lived there with his wife, Catharine Lansing Van Rensselaer, and their four children. His widowed mother, Maria Sanders Van Rensselaer, had been given a life estate to live in the house by her husband. Philip P.'s widowed father-in-law, Abraham A. Lansing, probably lived at Cherry Hill since 1811 and died there in 1822. Maria Matilda and Kilian Van Rensselaer, Philip P.'s unmarried sister and brother, also resided in the house. At this time it would have been considered unusual for a single, never married person to live alone. Unmarried daughters were particularly dependent, living in the homes of their fathers or brothers and contributing what they could to the household.

Boarders were an integral part of extended households. Many boarders were relatives. Some, like the Whipples, paid for their board. During the 1820s the Cherry Hill household swelled to accommodate a succession of visiting relatives, like John Whipple's niece, Henrietta Patrick. The Van Rensselaer family also charged John Whipple for boarding "his workmen."

The Van Rensselaers "partitioned" Cherry Hill into separate living areas as many extended families did with their homes at this time. Philip P. Van Rensselaer and his family lived in the south side of the house; his mother Maria Sanders Van Rensselaer lived on the north side, probably with her two children, Maria Matilda and Kilian. The garret may also have been used for sleeping quarters by the family. The hired help and the slave slept in the cellar in rooms off the two kitchens. These partitions in American homes were often more psychological than physical. In crowded homes open spaces would be divided for separate activities -- with unmarked but definite boundaries.[18] Privacy, as we know it today, was almost nonexistent in most households. Perhaps because of the communal nature of the family, privacy was an unusual concept and not an important priority at this time. It was only gradually that sleeping space became private. Out of necessity, most members of a family shared rooms and, often, beds as they did at Cherry Hill. Children and dependent household members rarely slept alone; sisters and female domestic help shared the same bed as did brothers, apprentices and laborers.[19]

Living space in the household expanded and contracted according to the seasons. In the wintertime, living space shrank to only a few heated rooms. In northern climates the kitchen often became the most important communal space in the household. In such crowded quarters people needed a special sensitivity and awareness of others. They knew how to carry on their activities in crowded spaces; how to position themselves when there were always several people around the same heating and lighting source.[20] Unlike today, people regularly had to cope with extremes of heat and cold in their homes and live in levels of darkness that we would find uncomfortable.

Maintaining a clean and well-ordered household in the early nineteenth century was a formidable task. Smoke and soot from fireplaces, stoves, candles and oil lamps permeated the house. With the lack of effective metal window screening, flies and other insects invaded the rooms. Mirrors, gilt frames, lighting fixtures and other surfaces were bagged in cotton during the summertime to prevent fly-specking. Dirt and mud were tracked in constantly from unpaved areas around the house. The pungent smells of the nearby "necessary" and barnyard, mixed with the sharp odor of humans engaged in heavy physical work, would have created an intensity of smells to which twentieth-century Americans are largely unaccustomed.

Fundamental changes began to occur in the American family and home beginning in the early nineteenth century. Work began to be separated from home life with the family no longer functioning as a corporate economic unit. Family members began to disperse into separate jobs and new roles. As the century progressed, men's and women's lives diverged into increasingly separate spheres. Men became the primary breadwinners in the outside world and women remained in the home with more autonomy in domestic and maternal matters. Private space in the home increased as families had fewer children and greater prosperity during the century allowed them to purchase larger homes. By mid-century the home became less a communal work place and more a retreat from what was seen as an increasingly troubled and tumultuous outside world.

THE VAN RENSSELAER FAMILY OF CHERRY HILL

The Van Rensselaer family of Cherry Hill were members of Albany's Dutch aristocracy. Yet, despite their inherited wealth and privileged position, they teetered on the brink of financial ruin in the 1820s. They were bankrupt, dependent on boarders and in danger of losing their home. Only an extended family network helped to alleviate this crisis.

Beginning in the 1600s, politics and trade in Albany were controlled by a powerful elite of Dutch and English families. Ties of kinship and business bound them closely together. By extending their landholdings and keeping their fortunes in the same family business for generations, patricians such as the Van Rensselaers, Schuylers, Gansevoorts and Lansings maintained their social, economic and political supremacy until the early 1800s.[21] By the 1820s their influence began to wane. New Englanders and foreign immigrants who had poured into Albany beginning in the late 1700s now vastly outnumbered them. A new state law in the early 1820s abolished property requirements for white male voters. This resulted in a new Yankee merchant-manufacturing elite being elected to office.[22] The decline of the Dutch aristocracy in Albany was exemplified by the misfortunes of the Van Rensselaer family at Cherry Hill.

In 1787 Philip Van Rensselaer and his wife, Maria Sanders Van Rensselaer, had a large Georgian-style house built outside the city of Albany on a 900-acre farm. They leased this land from Philip's cousin, Stephen Van Rensselaer, the Patroon. In 1810 the Van Rensselaers gained title to the property. Cherry Hill was a thriving farm with a tannery, brewery and possibly a sawmill on the property. Philip's wealth derived primarily from his successful merchant business. He owned a store in Albany and sailed his sloop to New York and Philadelphia trading wheat and local produce for imported and manufactured goods. Philip was also politically successful, holding several offices in the city of Albany and the town of Bethlehem. After his death in 1798, his estate passed to his wife. His nine surviving children were to receive equal shares of his estate when the youngest became 21 years of age in 1814. Family, rather than individual, control of wealth was a Dutch tradition and meant all family members could share in the social prestige and profits rather than only an eldest son, as in English law and tradition.[23] The Cherry Hill house lot was to pass to Philip Van Rensselaer's fourth son, Philip P. His mother, Maria Sanders Van Rensselaer, held a life estate interest in the house, which allowed her to live there until her death.

Philip P. married his first cousin, Catharine Lansing, in 1804 (see family chart on page 162). Such marriages between relatives were common, particularly among upper class families. Philip P. and Catharine had seven children; four lived to adulthood. The

Van Rensselaers and Lansings, like other Albany patrician families, sealed these personal relationships with business partnerships. Philip P. owned a store with his brother-in-law, Abraham D. Lansing, and later went into business with his uncle and father in-law, Abraham A. Lansing, a river boat captain. With the latter, Philip P. owned a store on South Market Street (now Broadway) in Albany from 1817-1820. Although Philip P. was a merchant, as his father had been, his failures stood in stark contrast to his father's successes. Philip P.'s financial troubles began in 1817 when he and other family members were sued for non-payment of debts. To compound his misfortunes, the country was plunged into a serious depression in 1819, which was marked by widespread foreclosure and unemployment. His debts increased and creditors sued him in a dismal series of court cases lasting through 1821. In that year he may have been briefly confined in the Albany jail for non-payment of debts. Philip P. finally declared bankruptcy in 1822. During this period it appears that the ownership of Cherry Hill changed hands several times among the Van Rensselaer-Lansing families in an effort to save the house from foreclosure. Fortunately the widow Maria's entitlement to live in the house prevented it from being sold during the 1820s. Income from boarding relatives, such as the Whipples, also helped to sustain the family at this time.

What was the extent of the Cherry Hill farm when Jesse Strang was hired in August, 1826? The Van Rensselaers owned 219 acres, including the 25 acre Cherry Hill house lot belonging to Philip P. and the adjacent properties of his siblings, two of whom lived at Cherry Hill at this time. Despite the fact that the Cherry Hill farm had been broken into individual parcels for family members, it may have been managed as a single large property. Family ownership and operation of the joint lands ensured a better chance for the farm's survival and success. Family, rather than individual, goals may have been considered more important to the Van Rensselaers.

The farm may have appeared fairly prosperous in the 1820s. Besides the large house, a barn, courtyards, several sheds and other outbuildings stood on the property. Fruit trees, a nut orchard and a large vegetable garden were situated near the house. Grains probably grew in the fields, but not all the property was farmed. A woodlot would have served as an important source of fuel and a cash crop for the family.

Philip P. died suddenly on February 17, 1827, of an unknown cause. His wife and children continued to live at Cherry Hill until the death of Maria Sanders Van Rensselaer in 1830. About that time Catharine Lansing Van Rensselaer married John Fay, Jr., and moved away from Cherry Hill with her children. Although the Union Insurance Company foreclosed the mortgage in April, 1833, Philip P.'s sister, Arriet, and her husband, Solomon Van Rensselaer, were able to acquire the house and property and keep it in the family.

The Van Rensselaer-Lansing families had united their assets to save their home, Cherry Hill. This interlocking web of personal and business relationships typified many American families in the early nineteenth century and, especially, the Albany aristocracy.

JESSE STRANG

Jesse Strang and John Whipple typified the great geographic and social mobility of early nineteenth century Americans. Both men left their homes and restlessly pursued their fortunes. While John Whipple achieved financial success and social approval, Jesse Strang moved downward through the ranks of society, ending his life as a drifter and a criminal.

Jesse Strang came from a well-to-do family in Dutchess County in the mid-Hudson Valley area. His ancestors were wealthy and prominent Frenchmen who settled in Westchester County in the 1600s. Henry Strang, Jesse's grandfather, had been a hero in the Revolutionary War. Jesse's father, Daniel Strang, was a farmer who lived near Fishkill, New York. Jesse was born in about 1797. He was the oldest of seven children born to Daniel and his first wife, Sarah Rider. Shortly after her death in about 1813, his father remarried and had nine more children, the youngest of whom was born five years after Jesse's hanging in 1827.

Nothing is known about Jesse's early life until his marriage, at age eighteen, to Deborah Lounsberry (1796-1881) of Fishkill, New York. They had four children: three sons and a daughter, born between 1816-1822. The 1820 Federal Census lists Jesse Strang and his family as living in Kent, Putnam County, New York. Land deeds show that he did not own land in the county in that year.

In about 1825, Strang deserted his wife and children and traveled west through New York State. Along the way he faked his disappearance in western New York near Cayuga Lake, making it look as though he had been robbed and murdered. He assumed a new identity as Joseph Orton. The Albany Daily Advertiser (May 21, 1827) reported that Strang acknowledged he had staged his death in order to avoid discovery for having forged several checks, one of which was cashed in Albany. Jesse probably spent almost a year and a half in the West, in Ohio and, possibly, also in Kentucky.[24] He eventually returned East, arriving in Schenectady on July 1,1826, where he stayed overnight in a public house. Strang was headed for Stillwater, possibly because he had cousins there. However, through a mix-up, his trunk was sent to New York by steamboat. Strang went to Albany to make arrangements for recovering it, since the city was a major crossroads for transportation. The return of his trunk was delayed; and, in the meantime, he took a temporary job at Otis Bates' tavern, south of Cherry Hill. On August 28, 1826, he was hired as a farm hand at Cherry Hill by Philip P. Van Rensselaer.

Details of Strang's life as a farm laborer can be gleaned from his Confession and from the testimony at both trials. Strang, like most workers at this time, labored six days a week. Leisure time was precious, available only in the evenings and on Sundays. During planting and harvesting seasons he probably would have worked from dawn until dusk. His daily break was at noon, for dinner, the main meal of the day. As a general farm hand, Strang's chores were varied. They included caring for the horses, hauling and selling wood, working in the fields, running errands in town, gathering nuts from the orchard, and repairing windowpanes, locks and, most likely, farm equipment. Every morning it was also his responsibility to bring wood into the house for making fires. His sleeping quarters were in the cellar next to Dinah Jackson's, off the kitchen. Like most farm laborers, he shared his room with another hired man. Strang was a competent worker and received a raise within a year. He started at ten dollars a month and by April, 1827, was earning twelve dollars a month.[25] Although neither was a high wage for a farm hand at this time, Strang had the advantage of receiving room and board.[26]

The Van Rensselaers readily accepted Strang as "being one of the family" as Abraham Van Rensselaer stated at Strang's trial. Perhaps Jesse Strang's behavior reflected his upbringing in a well-respected family. He didn't act like a typical farm hand. He was better educated (he could read and write) and appeared to have shared a camaraderie with the family that was unusual for a hired man. He bought sugar candy for the children and, in turn, the family gave him the nickname of "Doctor" because he wore glasses. Strang also passed himself off as a man with prospects. He told the family he owned three hundred acres of land in Ohio, implying his position as a laborer was temporary. Because of this, it is easier to understand why an upper-class woman like Elsie Whipple chose to become involved with a farm hand like Jesse Strang.

Jesse Strang was hanged on August 24, 1827. It was the last public execution in Albany. His remains were sent by steamboat to Fishkill where his parents lived.[27] Although he had abandoned and disgraced his family, his father and stepmother paid his legal fees, attended his trial and visited him in prison. Were it not for his crime of murder, Jesse Strang might have remained an anonymous person in history -- a drifter and petty criminal on the fringe of society.

ELSIE WHIPPLE

Elsie Whipple's character and actions may be better understood by examining her background and the values of the culture in which she lived. Dependency and powerlessness pervaded her life. Her culture demanded great dependence and submission of women and limited their role to the sphere of the home. Elsie was reliant on others for her basic, often daily, needs. Despite her wealth, she never had total control of her money or property, nor did she ever live in a separate home of her own. As a married woman, this ensured powerlessness since the realm of the home was the one area where women had the most control.

Elsie was a member of the Albany aristocracy of wealthy Dutch and English families. Born in 1802, she was the daughter of Christina Voorhees and Abraham D. Lansing. Elsie's family was closely tied to the Van Rensselaer family of Cherry Hill through blood, marriage and business. Elsie's grandmother was a Van Rensselaer, the sister of Philip Van Rensselaer, first owner of Cherry Hill (see Elsie Schuyler Van Rensselaer on family chart, page 162). Elsie's aunt, Catharine Lansing, married Philip P. Van Rensselaer in 1804. In the same year, Elsie's father went into business with his brother-in-law, Philip P., who was now Elsie's uncle (see family chart).[28] Their partnership as merchants in Albany was brief, ending with Abraham D. Lansing's death in 1805.

Elsie's father had not been successful in earlier business ventures.[29] His father, Abraham A. Lansing, a well-to-do merchant, loaned his son money and employed him as a captain on his sloop, the Mohawk. Perhaps because of his son's business failures, Abraham A. divided his estate among his children well before his death, leaving a substantial portion of his wealth to Abraham D., his oldest son. Elsie's father died young, without leaving a will, so Elsie's grandfather administered the estate. It included several properties in Albany, most notably the Columbian Hotel, once a governor's mansion, on South Market Street (now Broadway). The widow, Christina Voorhees Lansing, and her young daughter, Elsie, received their living expenses from Elsie's grandfather who doled it out to them from his son's estate. The characters of her family -- the people closest to her during her childhood -- were described by witnesses in a family court case.[30] Her father was said to be unfaithful to his wife, a gambler and "irregular in his habits." He told others shortly before his death that he regretted leaving Elsie in the care of his wife, "whom he expressed not to consider a very prudent woman," and his father, whom he thought had an "ill temper and disposition." Witnesses also described Elsie's grandfather as being unfair in his business dealings.

When Elsie was about four years old, she and her mother moved from Albany to live in the Voorhees family home in New Brunswick, New Jersey. They spent their summers at Cherry Hill until 1814, when they moved in permanently.[31] Two years later, in 1816, Christina Voorhees Lansing died, leaving her daughter an orphan. Elsie's uncle, Philip P. Van Rensselaer, became her guardian. Court records indicate that Elsie received some early schooling in New Jersey and went to Mrs. Stoddard's school in Troy, beginning in May, 1816.[32] It is, supposedly, at this time that she met John Whipple. However, it is possible that they may have known each other earlier, since John Whipple's brother, Barnum Whipple, was a well known Albany sloop captain married to a Lansing relative. Elsie and John Whipple were married on January 19, 1817, in Waterford, New York.[33] John was twenty-three and Elsie was fourteen years and ten months old, an early but not unheard of age for marriage in this period.

Elsie did not have possession of her property and money when she married John Whipple. Her inheritance was still being administered and, thus, controlled by her grandfather. Such arrangements could have continued even after her marriage since she was not yet of legal age. Consequently, several months after their marriage, John sued Philip P. Van Rensselaer and Abraham A. Lansing in Chancery Court. He wished not only to gain her inheritance but also to have Philip P. removed as her guardian. John and Elsie won the suit and gained the lucrative rental income from the Columbian Hotel.

Elsie Whipple was a young married woman from a good family with a successful husband, yet she lacked control over many aspects of her life. After her marriage she still had no direct access to her money and property. Now her husband, instead of her male relatives, controlled and doled it out to her as he saw fit. When John was away on business, Elsie had to ask for money from Philander Fobes, manager of the Columbian Hotel. This system ensured a woman's dependent status.

Marriage meant a dramatic change in the legal status and lifestyle of a woman. Upon marriage a wife had no legal existence of her own. Marriage made one person of two, and that person was the husband.[34] Historian Nancy Cott describes the marriage contract in the nineteenth century as resembling, economically, an indenture between master and servant:

> Both parties had rights and obligations. The wife (much like the servant) deserved provision and owed service and obedience. . . .men also served their wives, by providing for them; but their service was the price of an independent, superordinate role rather than the obligation of a dependent and subordinate one.[35]

Women also lost control of their property. Husbands could manage and use the profits from their wives' property as they saw fit. A wife had little recourse if her husband lost her fortune, a not unusual occurrence in the risky economy of the early nineteenth century. Although wealthier families often set up prenuptial agreements or trusts to protect some or all of their daughter's wealth from a son-in-law, most people were ignorant of such loopholes in the law.[36] Marriage also meant, for many women, exchanging a carefree girlhood for a life of confinement and drudgery in the home. Alexis de Tocqueville made the following observations about American women during his visit to the United States in the 1830s:

> In America, the independence of woman is irrecoverably lost in the bonds of matrimony. If an unmarried woman is less constrained than elsewhere, a wife is subjected to stricter obligations. The former makes her father's home an abode of freedom and of pleasure; the latter lives in the home of her husband as if it were a cloister. . .Thus, in the United States, the inexorable opinion of the public carefully circumscribes woman within the narrow circle of domestic interests and duties, and forbids her to step beyond it.[37]

With the rise of industrialization, men's and women's roles were separating with the woman's sphere in the home, and the man's sphere in the outer world of work. Although limited to the domestic circle, woman's duties there were given increasing significance. In the early nineteenth century, popular literature began to stress the primary importance of women's roles as wives and mothers. Serving the needs of others was seen as a woman's unique duty. In addition to housekeeping and child care, married women in farm households performed an exhausting array of other tasks, which included food production and preservation, care of the ill and boarding relatives or hired help, making and maintaining the family's clothing, tending poultry, and helping with the harvest and other farm chores as needed.

Elsie Whipple's living situation at Cherry Hill made it difficult for her to perform the role that society expected of her. As a boarder she lacked a home of her own to manage, which most other young married women of her class had. It is not known why John Whipple apparently never provided Elsie with a separate home. It appears that they spent at least some of their early married life with John's family in Sunderland, Vermont.[38] The Whipples probably first boarded at Cherry Hill in February, 1825, three years after the death of her grandfather.[39] This living arrangement may have been a practical solution for both families. The Van Rensselaers would have some much needed income, and John could use Cherry Hill as a base for his business activities in Kingston and Albany. It also meant Elsie would be living among relatives with whom she had grown up.

It appears that Elsie had more leisure time than other upper-class married women. At Cherry Hill, Catharine Lansing Van Rensselaer would have fulfilled the role of domestic manager, supervising activities in the busy farm household. Certainly, the existence of a servant and slave at Cherry Hill would have relieved the Van Rensselaer women of some of the heavier domestic chores. The task of caring for Abraham Whipple, Elsie and John's young son, was probably shared with other females in the extended household. The slave Dinah Jackson also, apparently, cared for Abraham Whipple. This would not have been uncommon since child care was often a primary duty of female slaves. Abraham Whipple appears to have stayed often with John's family in Vermont for long periods of time, further freeing Elsie's time. It would have been considered unusual for a married couple, like Elsie and John, to have only one child after ten years of marriage. In the early nineteenth century, family size averaged almost five children.[40] Furthermore, John Whipple's frequent absences on business trips resulted in Elsie's not having to fulfill daily wifely responsibilities expected of a young matron of her time.

Did Elsie's seemingly aimless life lead her to search for excitement and, perhaps, greater happiness? If she was dissatisfied with her marriage to John, her options were few. Divorce was rare, difficult to obtain and carried a heavy social stigma. Wives who left their husbands forfeited any claim to their property and custody of their children. They would have no income, unless they were able to find a means of support, difficult in an era of low wages for women. Adultery was the only grounds for divorce. It was a moral sin, ultimately forgivable for a man, but much less so for a woman. Increasingly, women were being idealized as morally superior beings. Their fall from such a pedestal would be greater; their social ruin total.

Elsie was described as hysterical, emotional and sickly by family members at her trial. Yet to some extent, these qualities were sanctioned and encouraged by her culture. Women were considered creatures of the heart who acted from emotions; men were creatures of the mind who acted from reason.[41] It was believed that women were more sincere and sensitive than men and that they expressed their emotions involuntarily. This view was part of a new romanticism which was reflected in the popular literature and exaggerated clothing of the late 1820s. It was becoming fashionable for women to be ostentatiously emotional.[42] Swoons, shrieks, tears and sighs characterized literary heroines of the day. With this understanding, one has to wonder if the press exaggerated accounts of her behavior at the trials to fit the popular stereotype of femininity. Elsie's frailty and poor health were also noted by family members. Whether real or imagined, these symptoms confirmed society's view of women as innately weak, physically and emotionally. Historians have observed that women complained of a wide variety of "nervous" illnesses at this time and have suggested that female invalidism was a means of coping with a society which demanded so much self effacement and sacrifice of individual wants and needs.

After Jesse Strang's hanging, Elsie went to live with her uncle, Dr. K.V.R. Lansing in Otisco, Onondaga County, New York.[43] She still had no direct control of her own real estate and money nor John's assets. Shortly after John's death, Elsie had placed the Columbian Hotel in trust for her son Abraham, probably as a result of family pressure. Administrators of the estate used the income from the Hotel for Abraham's maintenance and education. Elsie received the rest "free from the disposition, interference or control of any future husband she may have." Elsie married Nathan Freeman, reportedly a schoolmate from New Brunswick, New Jersey, on December 24, 1828.[44] After their wedding, Elsie and Nathan may have lived in Metuchen, New Jersey, until Nathan's death in the early 1830s.[45] The cause of his death is not known, but it appears unlikely that Elsie would have had a monetary motive for killing him. Legal records verify that Elsie died in 1832, at age 29 or 30.[46] Nothing is known about the circumstances of her death. Perhaps she was one of the thousands who were stricken when a cholera epidemic swept through the Northeast that year.

Opinions may vary about whether Elsie Whipple was guilty or innocent; a manipulator or a victim. However, her character and behavior can be viewed more sympathetically in light of the period in which she lived. It was a time that emphasized women's dependency and submission at the cost of their self-reliance and individualism. Guilty or innocent, Elsie was a casualty of these cultural beliefs.

JOHN WHIPPLE

John Whipple personified the ambitious, energetic "go-getter" spirit so admired in the early nineteenth century. By 1827, in his mid-thirties, he was already a success. Whipple had achieved what Alexis de Tocqueville said all Americans were seeking: property, power and reputation.[47]

John Whipple was born in Vermont on August 13, 1793.[48] As Jesse Strang did, he came from a prominent family. The Whipples left England in the early 1600s to settle in Ipswich, Massachusetts, where they became leaders in the church and community. John's father, Ezra Whipple, had distinguished himself in the Revolutionary War by earning the rank of captain. He and his second wife, Abigail Harwood Barnum, had nine children, five of whom survived. John was their youngest child and grew up in Sunderland, Vermont. A description of John in 1812 appears in the diary of a relative, Benjamin Harwood, a farmer from Bennington. Harwood wrote that the eighteen-year-old John was:

> . . .a sober civil young man - of decent manners, good disposition [He] used pretty good language - except swearing occasionally - and a careful faithful hand with his team. I have no complaint to record against him.[49]

Harwood and Whipple had traveled together from Vermont to Albany to visit John's elder brother, Barnum Whipple, a well-known river boat captain. Soon after this, John left his family's home in Vermont and moved to Albany. As a bustling center for trade, the city would have offered many more opportunities for a young man. Evidence indicates that John may have worked for his brother, possibly on one of Barnum Whipple's sloops. With hard work and family connections, it is possible that John worked his way up to be a skipper since he is referred to as a "captain" in the newspaper announcement of the Whipple's marriage.[50]

In 1817 John married into one of the leading river boat families of Albany, the Lansings, as his brother Barnum had. Economically, it was an advantageous match for John. With Elsie's money and property, he could now have a ready source of private capital for investment. Such capital was scarce in this era but vital for business success. It is understandable that he would have sued the Van Rensselaer and Lansing families to reclaim his wife's inheritance, which he may not have known was in jeopardy before their marriage. The kinds of charges he made against Abraham A. Lansing and Philip P. Van Rensselaer indicate that he was a sharp, intelligent and ambitious man.

John was involved in a variety of business activities in the mid-1820s. He became a contractor for the Delaware and Hudson Canal, which was being built to connect the coal fields of Pennsylvania with Kingston and eastern markets, especially New York. This work took him away from Cherry Hill for weeks at a time. In 1826 and 1827 he was probably supervising work on the Port Jervis to Kingston section of the 108-mile canal. Whipple died two months before the waterway was opened. In Albany John owned several properties in addition to the Columbian Hotel. Although Philander Fobes managed the Columbian, John frequently stopped by to oversee its operations.

The finances of John Whipple and the Van Rensselaers of Cherry Hill were closely intertwined. John owned or shared in the profits from their wood lot, and both he and the Van Rensselaers borrowed from each other. Whipple may have also helped Abraham Van Rensselaer manage Cherry Hill after the death of his father, Philip P. Van Rensselaer.

John Whipple was a man on the move, constantly traveling between Kingston, Albany, New York City, and his parents home in Sunderland, Vermont. This mobility was not unusual in an age where the economy was rapidly expanding and great material gain could be made if one were ambitious and energetic enough to pursue it, as John was.

Jesse Strang murdered John Whipple on May 7, 1827, as he sat in his room, with Abraham Van Rensselaer, arranging some accounts. The Albany Argus and City Gazette of August 11, 1827, eulogized Whipple's achievements in the following manner:

> As a member of society, he was already distinguished for his usefulness; as a man of business he was prudent, attentive, persevering; economical and temperate in his habits, and strictly just in his dealings. . . . And above all, sensible of his obligations to his Maker for the blessings conferred on him, for the prosperity and reputation he enjoyed and for all the mercies of his existence.

Whipple was buried in the cemetery of St. Peter's Episcopal Church in Albany. However, his grave was later moved to the Albany Rural Cemetery in Menands where his gravestone may still be seen today.

SLAVERY IN NEW YORK

Slavery in New York was distinctly different from slavery in other regions of the country. The development, pervasiveness and persistence of the slave system in New York also distinguished it from those in other northern states. A look at Dinah Jackson's life at Cherry Hill provides some clues about what a New York slave's life was like in the early nineteenth century.

New York was the largest slave owning colony and state in the North from 1630 through 1790.[51] It was the main stronghold of slavery outside the South. New York also had the only slave system in mainland America that evolved from two colonial powers: the Dutch and the English.[52] Slavery in New York was always based on race. Although both the Dutch and English equated bondage with color, their attitudes towards slavery were quite different. Under the Dutch in New Netherlands, slavery was closer to the status of white servitude.[53] The Dutch did not view slavery as a permanent institution and allowed slaves to be conditionally released from bondage.[54] Under later English rule, such freedom was curtailed. The English changed slavery from a private to a public institution by enacting slave laws.[55] A rigid slave system resulted. Yet, despite the more tolerant Dutch attitudes, descendants of Dutch settlers, particularly those in the Hudson River Valley, vehemently supported slavery.

Slavery flourished in New York, in part, because of restrictive land policies. Under both the Dutch and the English, large tracts of land were given to wealthy New York families and merchants with the stipulation that they must settle these estates with white farmers. In the Hudson River Valley, the Van Rensselaers, Livingstons, Van Cortlandts, and Philipses owned vast tracts of land. Although constant warfare hindered colonization, it was the feudal-like manorial system that most discouraged white settlement. Most farmers preferred to own their own land.[56] The British, as had the Dutch, turned to slaves to solve the labor shortage. In 1790, 21,000 blacks (of nearly 26,000) in the new State of New York were slaves. Albany County was one of the main slaveholding regions.

Most slaveholdings in New York were small, with one to five slaves.[57] The largest slaveholders were the manor lords and patentees who needed more labor on their large estates. Most white families in the Hudson River Valley owned no slaves.[58] Those that did, like the Van Rensselaers of Cherry Hill, owned an average of one to two slaves.[59] Because New York had fewer slaves than southern states, the conditions of slavery were somewhat different. New York slaves lived in the same households with their masters, thus allowing for little privacy. This meant whites and blacks may have known each other better and perhaps feared each other less than masters and slaves on larger southern plantations. Yet it also meant that northern blacks were more isolated.[40] Family members were most often owned by separate masters and forced to live apart. Northern and New York blacks were also denied the separate black social, cultural and religious life that developed in the southern slave quarters.[41] However, one way New York slaves maintained their cultural traditions was through Pinksterfest, a week-long carnival. It was originally a Dutch colonial celebration of Pentecost. Later, it became a holiday for slaves during which they celebrated their African traditions. Pinksterfest was outlawed in Albany in 1811 because it had supposedly become too disorderly.

New York abolished slavery later than any other northern state except New Jersey. Most New England states had abolished slavery outright shortly after the Revolution. Abolition in New York State was achieved only after considerable debate. Proponents of slavery felt abolition violated their personal property rights and feared the possible danger and competition of a free black population. Slavery was abolished in New York largely because it was considered unprofitable.[42]

Emancipation occurred over a period of time in New York from 1799 until 1827. The gradual emancipation bill of 1799 made the first provisions for the eventual freedom of slaves. All children born after 1799 were born free but owed their mother's master a certain term of service: 25 years for females, 28 for males. Masters were also permitted to free any slave within one year, regardless of their age or health. It must be remembered that many slave owners voluntarily freed their slaves before this law was enacted. The Act of 1817 brought a final end to slavery in the state. It designated July 4, 1827, as the date for the abolition of slavery. Any male or female born between 1817 and 1827, owed 21 years of service. In 1827, all slaves were freed who were born before 1799. Yet blacks continued to be bound in servitude, in many cases, until 1848.

This gradual emancipation proved more disruptive to New York black families than sudden, total emancipation.[43] It meant that family members lived apart and were freed at various times. Within the same family, mother, father and children could have three different degrees of freedom: slave, bound-to-service, and free black. The born-to-service children, like slaves, could be sold at any time or bequeathed as short term property in wills.[44] During this period of gradual emancipation, the number of blacks in New York State declined. Many may have gone to other states or been kidnapped for illegal sale in other states.

What was it like to live as a slave in a New York household in the early nineteenth century? Evidence on slave life is fragmentary. Most slaves could not write, and their personal papers and oral traditions tended to be saved by families, not institutions. Information about slaves most often came from whites. Inklings of Dinah Jackson's life as a slave at Cherry

Hill may be discovered in Jesse Strang's Confession and in the testimonies of the Van Rensselaer family at the trials of Jesse Strang and Elsie Whipple. Fortunately, Dinah Jackson's own words are preserved for us today in her brief testimonies given at these trials.

Dinah Jackson was described as being about 50 years old in 1827. If so, she would have been born in about 1777, during the Revolutionary War. Dinah may have been born in Africa, since slave importation was not banned until 1785. More likely, she was born in the Hudson River Valley, which had a large slave population. Exactly when Dinah came to Cherry Hill is unknown. The 1820 Federal Census lists one female slave belonging to Philip P. Van Rensselaer; no slaves are listed as belonging to his mother, Maria Sanders Van Rensselaer, also living at Cherry Hill at this time. Since Strang describes Dinah's room on the south side of the house, she probably was a slave in Philip P.'s household.

Dinah Jackson appears to have been the only slave at Cherry Hill in 1826-27. A young black male, whom Strang refers to as "Jack or George," ran away in October, 1826. As a youth of 18 or 19 he would have been bound-to-service, not born into slavery, like Dinah. Whether she was married or had children or kin in Albany, is not known. If Dinah had a family, they lived in another household, and she may have visited them when she could. Dinah's sphere of activities centered in the cellar of Cherry Hill where her sleeping quarters and the kitchen were located. Some of her chores were described as cooking, washing dishes, and child care. Her other tasks may have included housecleaning, clothes production, and dairy or farm work, all typical chores of female slaves.[65] Generally, northern slaves were trained to pursue a greater variety of crafts and occupations than southern slaves, because in the North the economy was more diversified and there were fewer slaves.

Dinah Jackson would not have known until 1817 that she would eventually be freed. Conditions of slavery varied from household to household in the North as well as the South. But to blacks everywhere, slavery meant constant uncertainty, and the loss of basic human rights. Slaves could be sold at any time, but most often slave sales occurred after the death of an owner.[66] Travel, legal rights and family life were all severely restricted. Slaves survived by their ability to understand the people in power.[67] Wearing a mask to conceal their feelings was a way to protect themselves and maintain a psychological distance from their masters.[68] Perhaps this explains why, as a slave, Dinah Jackson chose not to tell the Van Rensselaer family about Strang's proposition to her to poison Whipple. Involving oneself in whites' affairs made a slave vulnerable to threats and retribution. By the time of Strang's trial in July, 1827, Dinah was a free person able to testify and provide damaging evidence that helped to convict him.

After emancipation, Dinah Jackson apparently chose to remain in the Van Rensselaer household as a servant, at least through the end of July, 1827. This was a choice made by many other New York blacks. It would have provided a measure of security and eased the transition to their new status as free people. Unfortunately, after slavery, conditions for blacks in New York and the North did not improve. They faced discrimination in housing and employment and were ultimately displaced by foreign white workers.

Through Dinah Jackson we have a limited view of slavery and emancipation in New York. She played a small, but pivotal, part in the murder story; her own story remains unknown. Yet slaves like Dinah Jackson made major contributions to households like Cherry Hill and ultimately to the prosperity and success of New York.

THE TRIALS

The trials of Jesse Strang and Elsie Whipple involved legal and social questions which are still being vigorously debated today. The rights of individuals accused of crimes and equal treatment of all before the law were important issues at these trials. Jesse Strang's trial shows that in the early nineteenth century, the accused had fewer legal rights. Elsie Whipple's trial raised the issue of protection from legal punishment due to class, gender and race. Their cases also demonstrate the purpose of all criminal trials: to determine if the charges against an individual can be proven beyond a reasonable doubt. The jury's verdict must be based on fact not opinion. Jesse Strang's guilt was established through his confession. In Elsie Whipple's case, there was clearly not enough evidence to convict her. The truth -- whether she committed the crime or not -- is unknown.

Both trials attracted great public attention throughout the East. Newspaper reporters from Albany as well as those from New York and Boston covered the trials. These newspaper accounts provide the single most complete record of the trials since the court records of the day only briefly outlined the proceedings. Both trials were held in the Assembly Chamber of the State Capitol, the only government hall large enough to accommodate the crowds.

Jesse Strang and Elsie Whipple both chose members of the Albany elite to represent them. Strang had two prominent and capable lawyers. His parents had secured the services of Thomas J. Oakley of Poughkeepsie, a former leader of the Assembly and State Attorney General. Calvin Pepper of Albany was hired as his "junior counsel." Pepper had served as State Librarian since 1823 and been responsible for the 1820 Census in Albany. He was active in politics, supporting Martin Van Buren. Pepper used his position as Strang's legal counsel to his advantage, publishing The Confession of Jesse Strang on August 24, 1827, the day of the hanging, when sales would be booming. Despite the fact that printed confessions were commonly sold on execution day, they were not usually produced by the criminal's lawyer. Pepper undoubtedly profited professionally, if not financially, from his client's confession, an act which would be considered unethical today. Even in 1827, some critics considered it libelous (see document 39) against Elsie Whipple. Elsie was represented by three lawyers. The best known was Abraham Van Vechten, a well respected and experienced member of the Albany bar. Little is known about her other lawyers, E. Williams and A. Tabor. At both trials, Edward Livingston served as the District Attorney and Samuel A. Foot, his assistant; Judge William Duer adjudicated.

At least half of the legal authorities involved in the trials were well known to the Whipple and Van Rensselaer families. What we would consider conflicts of interest today because of family, business or personal relationships, were not, apparently, considered as such in 1827. For example, Prosecutor Livingston was related to the Van Rensselaer, Ten Broeck, and Westerlo families and was married to a Lansing. Abraham Van Vechten, Elsie's lawyer, was also distantly related to her. Several of these men had represented the Whipples and Van Rensselaers in prior court cases. In 1817 Judge Duer had been the Whipple's attorney in their Chancery case against Abraham Lansing and Philip P. Van Rensselaer. The latter were represented by Abraham Van Vechten, Elsie's lawyer at her trial in 1827. Calvin Pepper, Strang's lawyer, had been an attorney for the Van Rensselaers in 1822, representing Philip P. in the bankruptcy proceedings against him. This close association among the elite was typical throughout America as well as in Albany. A smaller population meant that the same pool of prominent men were more likely to work together in any community.

In the early nineteenth century, an individual accused of a crime had fewer legal rights than today. The Constitution and Bill of Rights were only about 40 years old. They provided protection for the accused but the country had not yet developed the large body of laws it has today which further safeguard individual rights. Moreover, much of the population was still disenfranchised and illiterate at this time. This meant that people were more unfamiliar with the law than today and less likely to know or insist upon their legal rights.

Jesse Strang's trial demonstrates some of the ways in which legal rights were more limited in 1827. Strang's trial lasted almost two days, beginning on July 26 and finishing on July 27 with a verdict of guilt. The central issue at Jesse's trial was whether his oral confession to his jailer, John Becker, on June 14,[69] was voluntary or coerced. His defense maintained it was involuntary and that "considerations, more powerful than any threat or promise . . . had influenced the mind of the prisoner." If they could prove that Strang's confession was involuntary, it could not be admitted as evidence, and the case against him would be greatly weakened. Despite the fact that circumstantial evidence implicated him in the crime, no eyewitness had positively identified him as the murderer. Only his oral confession and the evidence from it would ensure his conviction.

It appears that the oral confession Strang made to his jailer may well have been involuntary, even by 1827 standards. Strang had been arrested on May 9; and, over the course of the next month, he was intensively questioned by a number of public, legal and religious authorities. The Grand Jury, which had drawn up a bill of indictment against Jesse and Elsie on June 12, visited him in jail afterwards in a body, and in small groups. John Stevenson, the mayor of Albany, Reverend Lacey, the Episcopal minister, and other officials constantly urged him to confess and "pretended more than they knew." Although Strang was cautioned not to incriminate himself, it appears they did pressure him and imply he might receive mercy if he confessed. Finally, on June 14, physically and mentally worn down, "conscious of my own guilt," and having been told Mrs. Whipple had testified enough to convict him, Strang made a full confession to John Becker when the two men were alone in his cell. Because Elsie admitted to their affair, Strang may have felt betrayed and used his confession as a means of revenge.

After hearing the prosecution and defense arguments, Judge Duer ruled that the confession was voluntary and could be admitted as evidence. John Becker then took the stand and repeated Strang's statements bringing in important evidence against him such as the discovery of the rifle. Strang's defense folded. There was little they could do since their main argument was defeated. The jury reached a guilty verdict in 20 minutes.

Elsie Whipple's trial excited even more interest than Strang's. Information about their relationship had been published in the newspapers and had aroused public curiosity and prejudice. Although the case against her was weak -- there was no independent evidence that corroborated Strang's charges -- the legal authorities probably felt pressured by public opinion to bring her to trial.

Elsie Whipple's trial began on Monday, July 30, and was completed five days later, on August 3, with a verdict of not guilty. Elsie was charged as an accomplice, "aiding, abetting and procuring" the death of her husband. A central issue in Elsie Whipple's trial was whether Strang could be called as a witness to testify against her. At that time a judge, rather than a District Attorney today, decided whether someone could be called as a witness. According to the laws of the day, if a principal (perpetrator of the crime) testified against an accomplice, he would be legally entitled to a pardon. Judge Duer ruled that Strang should not be admitted as a witness since "to recommend him to mercy is not what the court feel(s) disposed to do." Judge Duer's decision had a sound legal basis, yet it also ensured an innocent verdict for Elsie. Without Strang's testimony, the case against her collapsed. Although a number of witnesses had provided circumstantial evidence, none could corroborate Strang's version of her involvement in the event. Only their affair was proven, and this merely linked her to Strang. It did not prove her guilty of being an accessory to murder. As a defendant, Elsie Whipple did not have to prove her innocence. The burden of proof was on the prosecution. District Attorney Livingston realized the weakness of the case and concluded "the jury would not be warranted in convicting the prisoner and . . . they would abandon the prosecution." The jury reached their verdict without leaving their seats. Despite the verdict, the question remains of whether Elsie was protected because of her privileged position. Compared to Strang, she did receive preferential treatment in jail. Yet there is no evidence at her trial that legal strings were pulled to protect her nor any hint that evidence was withheld. However, Judge Duer's ruling does reflect how differently women were viewed than men:

> The prisoner at the bar appears as a young woman, now about 25 years of age, married at the early age of 14 or 15 to her late husband, possessed of property to a considerable amount, of a character light, frivolous, weak, vain, imprudent and wicked, and guilty to a certain extent; a fit instrument in the hands of a designing man, but destitute of those qualities which might be supposed to have swayed the mind or controlled the actions of the person with whom she had an illicit intercourse.

We will never know if Judge Duer reached his decision in order to protect Elsie or not. Then, as now, laws were not always applied equally to everyone. Laws and their implementation reflect the values of a society and its attitudes towards class, race, religion and gender. In the early nineteenth century, judges and lawyers frequently chose to see women as passive victims, incapable of reasoning and planning for the future. "That women might be capable of such self-determination and control was simply unthinkable."[70] It was easier for juries and the legal establishment to ignore women's motives and their ability to act.[71] Juries did not generally like to find upper class white women guilty nor subject them to possible execution. Historian Ann Jones proposes that "Favoritism toward women under the criminal law was the trade-off men made for stripping women of rights under the civil law."[72]

According to Raymond Kelly, the current Albany County Public Defender, the cases of Jesse Strang and Elsie Whipple would have turned out quite differently today. Jesse Strang would never have been convicted nor Elsie Whipple indicted. Today, Strang's oral confession would be considered involuntary for several reasons: he did not have a lawyer present nor was he told he had a right to counsel during questioning (a violation of his Sixth Amendment Rights); and his confession was coerced (a violation of his Fifth Amendment Rights) because of the implied pardon and pressure from the Grand Jury members who visited him in jail, a practice which is not allowed today. Mr. Kelly feels that the evidence against Elsie was not strong enough to even produce an indictment against her. He believes there was no proof, except for Strang's word, of her involvement in the crime.

The trials of Jesse Strang and Elsie Whipple remind us that in the early nineteenth century, the basic mechanisms for protecting individual rights were in place. The Bill of Rights guaranteed the accused the right to legal counsel, due process of law, trial by an impartial jury and to be considered innocent until proven guilty in a court of law. How well these mechanisms work is up to the particular society that administers them. Then, as now, we seek a balance between the best interests of the accused, the victim and society.

Jesse Strang was hung on August 24, 1827, before a crowd estimated at 30,000. This number represented about one and one half times the population of the entire city of Albany. Some spectators came from as far as Bennington, Vermont, and Cooperstown, New York. Others may have come from even more distant points. As were public executions everywhere, Jesse Strang's hanging was meant to serve as both a warning and a celebration of order.[73] It showed the crowd the consequences of sin and crime and reaffirmed society's social and religious values. However, by the 1820s, public opinion began to turn against this form of punishment. Strang's hanging contributed to the movement towards private execution.

In the early nineteenth century the procedures followed at public executions were similar throughout the country. These rites of execution were carefully designed by the civil and religious authorities to display their power and show the triumph of order and virtue.[74] The condemned always had an important role to play in this drama of justice and redemption that was performed before a crowd of thousands.[75] Jesse Strang's hanging day provides a vivid illustration of these rituals of execution.

The Albany Argus and City Gazette (document 35) stated that the gallows procession began at about 1:15 p.m. Hangings were commonly scheduled, like Strang's, on a Friday afternoon, despite the fact they disrupted the six-day work week.[76] Jesse wore a typical gallows outfit of a white overdress trimmed with black. Accompanying him in the procession were various civil officials: the sheriff, the jailer, Reverend Mr. Lacey, minister of St. Peter's Episcopal Church, and the Albany Republican Artillery. This procession symbolized the power of both government and religious authorities. The scaffold stood at the head of Beaver Street, site of the present day Empire State Plaza, in a ravine that formed a natural amphitheater. Once on the gallows, the condemned were expected to publicly confess their sins and show contrition. Ministers used these gallows speeches, such as Strang's, to remind the crowd that only the truly penitent could earn salvation.[77] Gallows literature also played an important part on execution day. Pamphlets and broadsides containing sermons and confessions were typically sold, as Strang's Confession to Calvin Pepper was, to help spread the message of the hanging to the crowd and general public. Thus the meaning of execution day was communicated in dramatic, oral and written form.[78] Strang was hung at 1:45 p.m., a half hour after the procession had left the jail. According to contemporary accounts, the execution proceeded smoothly. However, later accounts (documents 37 and 38) embellished the event by describing how the hanging was bungled.

The reaction to Strang's execution day shows how attitudes towards public execution were changing by the late 1820s. A number of newspapers, like the Albany Daily Advertiser (document 35) were incensed at the crowd's rowdiness and lack of sensitivity during the hanging. Many critics echoed the Albany Argus sentiments that public executions actually made spectators more, not less, sympathetic towards criminals. Public opinion also began to condemn female attendance at public executions, a major shift from earlier colonial attitudes. Many now felt that women should not be exposed to public displays of violent death, reflecting a new attitude towards woman's nature and role in society. There was a growing consensus, at least among the authorities and social elite, that public executions spread disorder and vice. In a time of rapid urbanization, authorities feared crowds and felt public gatherings could lead to riots. A growing belief in privacy and a new attitude that death should be a private, not a public, event also made public executions less popular.[79]

Jesse Strang's hanging was the last public execution in the city of Albany. Undoubtedly the size and the carnival atmosphere influenced this decision. Eight years later, in 1835, New York State abolished all public executions. Hangings were then performed in the prison yards with only a small segment of the population, the community's elite, in attendance. However, executions never lost their popular appeal, and large crowds continued to gather outside the prison yard on execution day.

The elimination of private executions still left capital punishment in place. Despite efforts by reformers, beginning as early as the late 1700s, capital punishment was not abolished in New York State until 1965.[80]

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12. Johnson, A Shopkeeper's Millennium, p. 4.

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15. Tammis Kane Groft, *Cast with Style: Nineteenth Century Cast-Iron Stoves from the Albany Area* (Albany: Albany Institute of History and Art, 1981), p. 21.

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17. Hareven, *Themes in the History of the Family*, p. 16. Also, Donald Hugh Parkerson, "People of New York State in the Mid-Nineteenth Century: Community, Household, and Migration" (Ph.D. dissertation, University of Illinois at Chicago, 1983), p. 368.

18. Larkin, *The Reshaping of Everyday Life*, p. 121.

19. Ibid., p. 124.

20. Ibid., p. 122.

21. Alice P. Kenney, *The Gansevoorts of Albany: Dutch Patricians in the Upper Hudson Valley* (Syracuse: Syracuse University Press, 1969), p. 22.

22. Hackett, "The Social Origins of Nationalism: Albany, New York 1754-1835," pp. 668-669.

23. Kenney, *The Gansevoorts*, p. 273.

24. "The late Murder," *The Albany Gazette*, Albany, New York, May 15, 1827, p. 2.

25. Concerning Strang's raise: Jesse stated on page 17 of the *Confession* that Abraham Van Rensselaer hired him for an indefinite time at fifty cents a day. Working six days a week at this rates would result in a monthly wage of $12.00. Dr. Joel Wing confirmed this amount at Elsie's trial.

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27. "The remains of the Criminal," *Westchester Herald*, Westchester, New York, September 4, 1827, p. 1.

28. Whipples vs. Abraham A. Lansing and Philip P. Van Rensselaer, Chancery Court, 1817-1820, New York State Archives.

29. Ibid. Court records indicate that in the 1790s, Abraham D. Lansing lost money as a dealer in flax seed and wheat.

30. Ibid.

60

31. Ibid.

32. Ibid.

33. The Albany Gazette, Albany, New York, January 30, 1817, announcements section.

34. Norma Basch, "In the Eyes of the Law: Married Women's Property Rights in Nineteenth-Century New York" (Ph.D. dissertation, New York University, 1979), p.1.

35. Nancy F. Cott, The Bonds of Womanhood (New Haven: Yale University Press, 1977), p. 22.

36. Basch, "In the Eyes of the Law," p. 88.

37. Alexis de Tocqueville, Democracy in America, ed. Richard D. Heffner (New York: New American Library, 1956), pp. 235-236.

38. John Whipple's Letters of Administration, Surrogate's Court, 1827-1829, Albany County Surrogate's Court.

39. Ibid.

40. Robert V. Wells, Revolutions in American's Lives: A Demographic Perspective on the History of Americans, Their Families, and Their Society (Westport: Greenwood Press, 1982), p. 92.

41. Karen Halttunen, Confidence Men and Painted Women: A Study of Middle-Class Culture in America, 1830-1870 (New Haven: Yale University Press, 1982), p. 57.

42. Ibid., p. 80.

43. Westchester Herald, Westchester, New York, September 4, 1827.

44. First Baptist Church records, New Brunswick, New Jersey.

45. Editor of the New York National Police Gazette, Pictorial Life and Adventures of Mrs. Whipple: Jesse Strang, etc. (Philadelphia: T. B. Peterson and Brothers, 1848), p. 73. This is number 936 in Thomas M. McDade's, Bibliography of Books and Pamphlets on American Murders from Colonial Times to 1900. However, much of the information in this pamphlet is questionable.

46. Deed of Indenture, recorded June 21, 1834, Albany County Clerk's Office.

47. De Tocqueville, Democracy in America, p. 256.

48. This date is engraved on John Whipple's gravestone in the Albany Rural Cemetery, Menands, New York.

49. Benjamin Harwood Diaries, 1805-1837. March 6, 1812, entry. Bennington Museum, Bennington, Vermont.

50. Albany Gazette, Albany, New York, January 30, 1817.

51. Vivienne L. Kruger, "Born to Run: The Slave Family in Early New York, 1626 to 1827" (Ph.D. dissertation, Columbia University, 1985), pp. 12-13.

52. Ibid., p. 19.

53. Edgar J. McManus, A History of Negro Slavery in New York (Syracuse: Syracuse University Press, 1966), p. 12.

54. Ibid., p. 13.

55. Ibid., p. 190.

56. A. J. Williams-Myers, "Hands That Picked No Cotton: An Exploratory Examination of African Slave Labor in the Colonial Economy of the Hudson River Valley to 1800," Afro-Americans in New York Life and History 11 (July 1987): p. 30.

57. Kruger, "Born to Run," p. 1.

58. Williams-Myers, "Hands that Picked No Cotton," p. 35.

59. Ibid.

60. Kruger, "Born to Run," pp. 16-17.

61. Ibid., p. 16.

62. McManus, History of Negro Slavery, p. 193.

63. Kruger, "Born to Run," p. 767.

64. Ibid., pp. 861-862.

65. A. J. Williams-Myers, A Portrait of Eve: Towards a Social History of Black Women in the Hudson River Valley (New Paltz: Center for the Study of African Presence in the Hudson River Valley, 1987), pp. 3-4.

66. Kruger, "Born to Run," pp. 201-202.

67. Dorothy Sterling, ed., We Are Your Sisters: Black Women in the Nineteenth Century (New York: W. W. Norton & Company, Inc., 1984), p. xi, Foreword.

68. Ibid.

69. There are conflicting dates given for Jesse Strang's confession and Elsie Whipple's imprisonment. According to Strang's Confession, Jesse confessed on the 14th; on the 15th the rifle was found and Elsie was imprisoned. Yet John Becker and District Attorney Edward Livingston both stated at Strang's trial that he confessed on June 15 and 16. Witnesses agree that Elsie was imprisoned on the day the rifle was found. Becker and Livingston state this was on the 16th.

70. Ann Jones, Women Who Kill (New York: Ballantine Books, 1981), p. 99.

71. Ibid., p. 96.

72. Ibid., pp. 98-99.

73. Louis P. Masur, Rites of Execution: Capital Punishment and Transformation of American Culture, 1776-1865 (Oxford: Oxford University Press, 1989), p. 26.

74. Ibid.

75. Ibid.

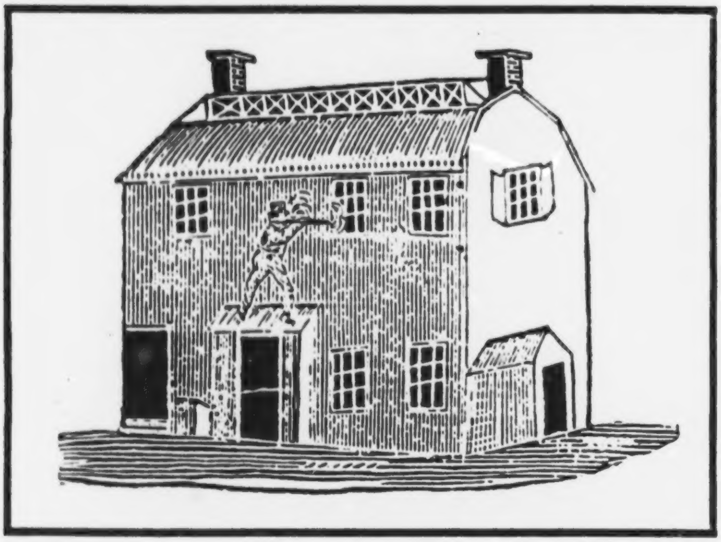
76. Ibid., p. 97.

77. Ibid., p. 26.

78. Ibid.

79. Ibid., p. 103.

80. Capital punishment was still allowed in two instances under the 1965 law: for the murder of a police officer killed in the line of duty and for the murder of a prison guard by any person serving a life sentence. Recently, capital punishment for these offenses was declared unconstitutional. The death penalty was thus completely abolished in New York State.



SUMMARIES of KEY DOCUMENTS

THE

CONFESSION

OF

JESSE STRANG,

WHO WAS CONVICTED OF THE MURDER OF

JOHN WHIPPLE,

At a Special Court of Oyer and Terminer, held in and for the County of Albany, on the fourth day of August 1827.

BEING A MINUTE RELATION OF ALL THE CIRCUMSTANCES CONNECTED WITH THE MURDER, AS RELATED BY HIM, AFTER HIS CONVICTION; AND WHICH HE MOST SOLEMNLY AFFIRMED, CONTAINED

NOTHING BUT THE TRUTH.

MADE TO

C. PEPPER, ESQ.

One of his Counsel.

ALBANY:

PRINTED BY JOHN B. VAN STEENBERGH.

****

.1827

The Confession was written by
Jesse's lawyer, Calvin Pepper.

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Jesse's father says this account is the truth.

The following is a request from Daniel Strang, *the father of* Jesse Strang, *to have his Confession published.*

I, Daniel Strang, the father of Jesse Strang, convicted of the murder of John Whipple, do consent and request that Calvin Pepper, one of his counsel, prepare for the press, and publish, the entire confession of said Jesse, relative to said murder, and his acts and conduct from the time he came to live with Mr. Philip P. Van Rensselaer, until the time of his execution; omitting nothing relative to said murder, except such parts as, in the opinion of said Pepper, would be libelous and expose him and the Printer to the payment of damages, at the suit of some third person; and I do earnestly request that said Pepper publish nothing except what said Jesse shall sanction and declare to be true at the close of his life. And I do earnestly request of his keepers, that no other person be permitted to write any thing in his, the said Jesse's presence, relative to said murder, or to question him relative thereto, after this date, except such person or persons as said Pepper and said Jesse shall both request to be present.

DANIEL STRANG.

Albany, August 4th, 1827.

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1. Jesse says what Calvin Pepper has written here is the truth.

2. Jesse came to Schenectady and planned to go to Stillwater. His trunk was accidentally sent to Albany. He went to Albany, and found out his trunk had been sent to New York City. He decided to wait in Albany until his trunk was returned. He got some work from Mr. Bates while waiting. When his trunk arrived, he went to Stillwater and Saratoga. Then around July 15th, he returned to Mr Bates' house.

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CONFESSION.

1. I, Jesse Strang, being anxious to comply with the preceding request, of my revered and much respected father, and to give a fair, true, and just statement of all the circumstances which led to the murder of the late John Whipple; and believing it to be my solemn duty to make a full and perfect disclosure of the same, with a view that this community, as well as the whole world, may be in possession of the truth, the whole truth and nothing but the truth, I do hereby publish and declare the following statement to be a full, fair and just exposition of *all* the circumstances, under no less responsibility than of knowing that in a few days I must render an account for the truth thereof to that God, who will then sit in judgment on those deeds I have here done in the body.

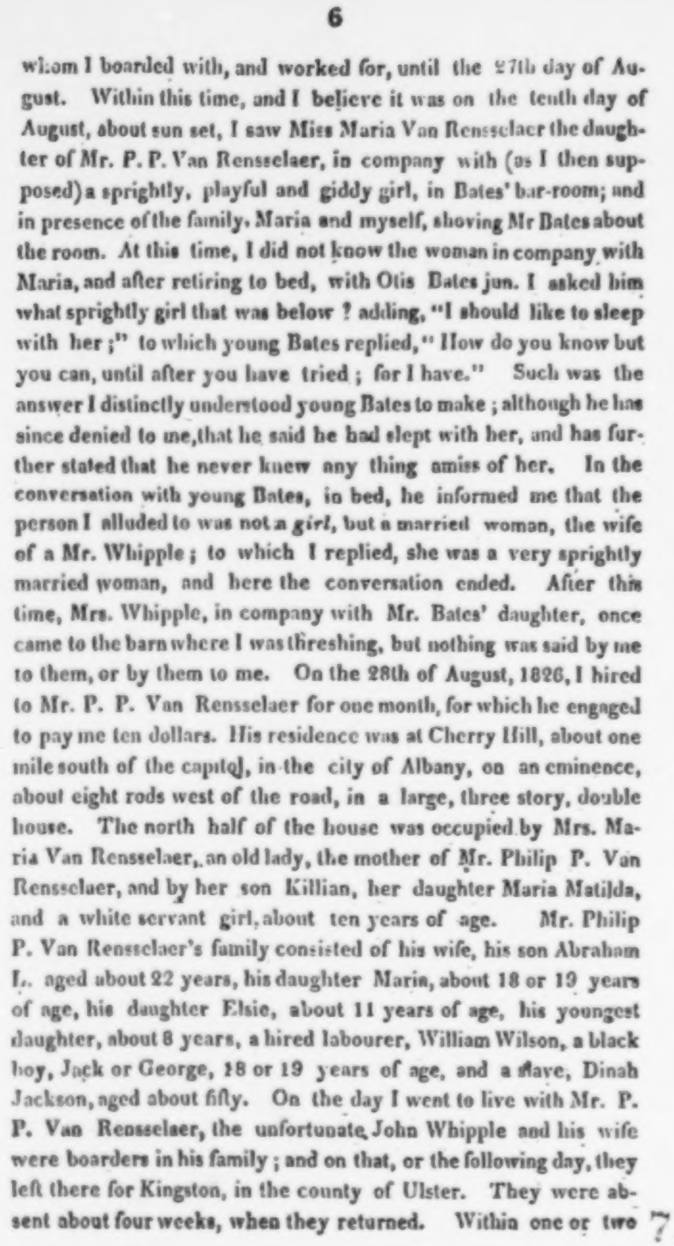
2. About the first day of July, 1826, I put up at a public house in the city of Schenectady, having arrived there in a stage from the westward, calculating to leave that place for the town of Stillwater the next day. But on rising the next morning, I ascertained that my trunk had been taken, in the two o'clock stage, for Albany. I then concluded to take the eight o'clock morning stage for Albany, with a view to recover my trunk. I did not arrive at Albany until after ten o'clock in the morning, and there learned that my trunk had been put on board of a steam boat for New-York, which had already started. I requested some one at the stage-office to write down, to have it returned. A letter was accordingly written, and in the mean time I took board in South Market-street, at a grocery, a few doors north of the Watering-Place, and concluded to remain there until my trunk should be returned, and then leave the city. But after remaining three or four days, a mistake was made in sending up the wrong trunk. I then went to Greenbush and inquired for work, and while there, saw Mr. Otis Bates, who resided about sixty rods south of the residence of Mr. P. P. Van Rensselaer, at Cherry Hill, the fatal place at which I shot the unfortunate Whipple. I remained at Bates' two nights and one day. At this time my trunk having arrived, I went to Stillwater and Saratoga, and on or about the 15th of July, I returned to Bates' house,

3. Jesse says he first saw Elsie at Mr. Bates' bar-room on August 10th. She was playful and lively, and was shoving Mr. Bates around the bar. That night he tells Mr. Bates' son Otis that he would like to sleep with Elsie. Otis claims he already has. He also tells Jesse that Elsie is married. Another time Elsie came with Mr. Bates' daughter to watch Jesse threshing.

4. On August 28, 1826, Jesse hires out to Philip P. Van Rensselaer to work for a month at Cherry Hill at a wage of ten dollars. The members of the household at that time were:

Maria Van Rensselaer (Philip P.'s mother)
her son Killian
her daughter Maria Matilda
a white 10 year old servant girl
this group lived in the North half of the house

Philip P. Van Rensselaer
his wife
his son Abraham (22 years old)
his daughters Maria (18 or 19 years old) and
Elsie (11 years old) another daughter (8 years old)
a hired laborer, William Wilson
a black boy, Jack or George (18 or 19 years old)
Dinah Jackson, a slave (about 50 years old)
John & Elsie Whipple, boarders



3. whom I boarded with, and worked for, until the 27th day of August. Within this time, and I believe it was on the tenth day of August, about sun set, I saw Miss Maria Van Rensselaer the daughter of Mr. P. P. Van Rensselaer, in company with (as I then supposed) a sprightly, playful and giddy girl, in Bates' bar-room; and in presence of the family, Maria and myself, shoving Mr Bates about the room. At this time, I did not know the woman in company with Maria, and after retiring to bed, with Otis Bates jun. I asked him what sprightly girl that was below ? adding, "I should like to sleep with her ;" to which young Bates replied, "How do you know but you can, until after you have tried ; for I have." Such was the answer I distinctly understood young Bates to make ; although he has since denied to me, that he said he had slept with her, and has further stated that he never knew any thing amiss of her. In the conversation with young Bates, in bed, he informed me that the person I alluded to was not a *girl*, but a married woman, the wife of a Mr. Whipple ; to which I replied, she was a very sprightly married woman, and here the conversation ended. After this time, Mrs. Whipple, in company with Mr. Bates' daughter, once came to the barn where I was threshing, but nothing was said by me to them, or by them to me. 4. On the 28th of August, 1826, I hired to Mr. P. P. Van Rensselaer for one month, for which he engaged to pay me ten dollars. His residence was at Cherry Hill, about one mile south of the capitol, in the city of Albany, on an eminence, about eight rods west of the road, in a large, three story, double house. The north half of the house was occupied by Mrs. Maria Van Rensselaer, an old lady, the mother of Mr. Philip P. Van Rensselaer, and by her son Killian, her daughter Maria Matilda, and a white servant girl, about ten years of age. Mr. Philip P. Van Rensselaer's family consisted of his wife, his son Abraham L. aged about 22 years, his daughter Maria, about 18 or 19 years of age, his daughter Elsie, about 11 years of age, his youngest daughter, about 8 years, a hired labourer, William Wilson, a black boy, Jack or George, 18 or 19 years of age, and a ſlave, Dinah Jackson, aged about fifty. On the day I went to live with Mr. P. P. Van Rensselaer, the unfortunate John Whipple and his wife were boarders in his family ; and on that, or the following day, they left there for Kingston, in the county of Ulster. They were absent about four weeks, when they returned. Within one or two

5. Mr. Whipple went to Kingston. His niece, Henrietta Patrick, came and stayed with Elsie. During the day, Henrietta worked as a tailoress. The black boy ran away in October.

6. Jesse began to fall in love with Elsie.

7. On October 20th, Miss Maria Van Rensselaer, Elsie, Philip P., Abraham V.R., Henrietta, and Jesse went to gather nuts in the orchard.

8. That evening, Elsie started a conversation with Jesse.

9. The next day or the day after she asked Jesse to write her a letter.

10. Jesse wondered if she was trying to get him to write the letter so she could show it to her husband.

11. But he decided that she really meant it because of how she had been flirting with him, and what Otis Bates had told him before.

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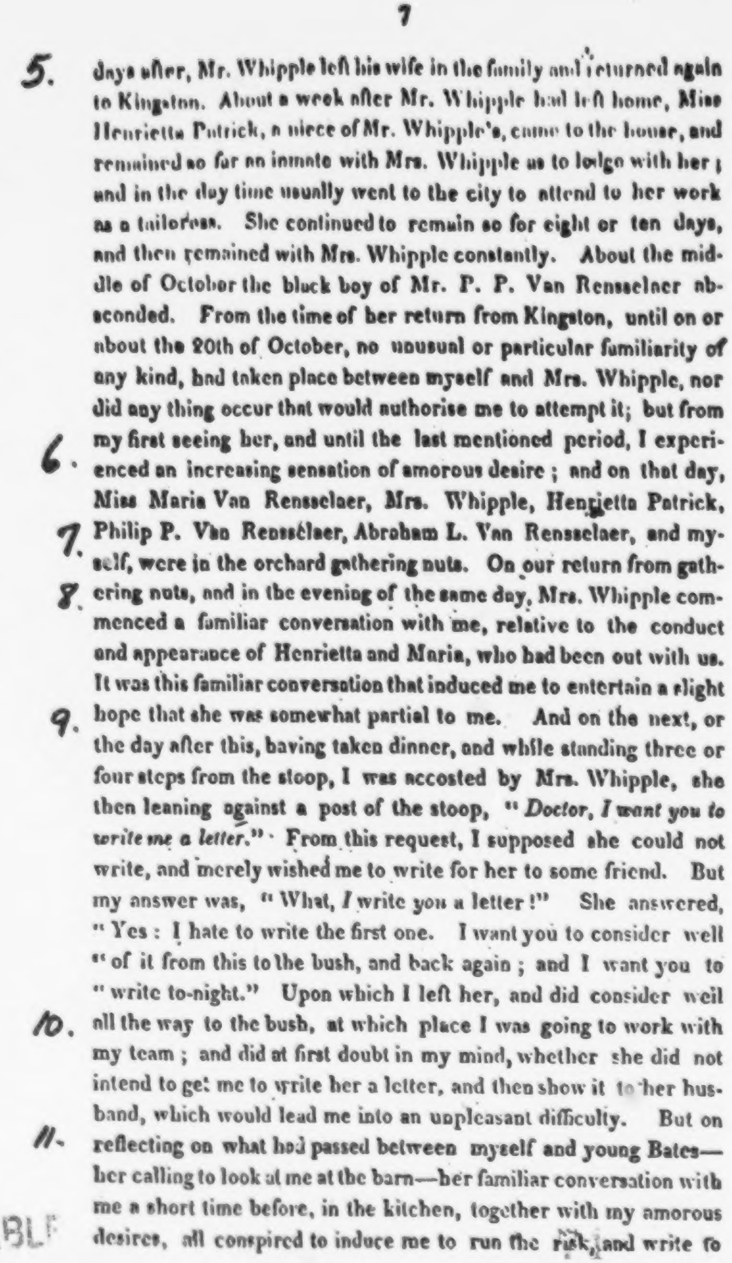

5. days after, Mr. Whipple left his wife in the family and returned again
to Kingston. About a week after Mr. Whipple had left home, Miss
Henrietta Patrick, a niece of Mr. Whipple's, came to the house, and
remained so far an inmate with Mrs. Whipple as to lodge with her;
and in the day time usually went to the city to attend to her work
as a tailoress. She continued to remain so for eight or ten days,
and then remained with Mrs. Whipple constantly. About the middle of October the black boy of Mr. P. P. Van Rensselaer absconded. From the time of her return from Kingston, until on or
about the 20th of October, no unusual or particular familiarity of
any kind, had taken place between myself and Mrs. Whipple, nor
did any thing occur that would authorise me to attempt it; but from
6. my first seeing her, and until the last mentioned period, I experienced an increasing sensation of amorous desire; and on that day,
Miss Maria Van Rensselaer, Mrs. Whipple, Henrietta Patrick,
7. Philip P. Van Rensselaer, Abraham L. Van Rensselaer, and myself, were in the orchard gathering nuts. On our return from gath-
8. ering nuts, and in the evening of the same day, Mrs. Whipple commenced a familiar conversation with me, relative to the conduct
and appearance of Henrietta and Maria, who had been out with us.
It was this familiar conversation that induced me to entertain a slight
9. hope that she was somewhat partial to me. And on the next, or
the day after this, having taken dinner, and while standing three or
four steps from the stoop, I was accosted by Mrs. Whipple, she
then leaning against a post of the stoop, "*Doctor, I want you to
write me a letter.*" From this request, I supposed she could not
write, and merely wished me to write for her to some friend. But
my answer was, "What, *I* write you a letter!" She answered,
"Yes: I hate to write the first one. I want you to consider well
"of it from this to the bush, and back again; and I want you to
"write to-night." Upon which I left her, and did consider well
10. all the way to the bush, at which place I was going to work with
my team; and did at first doubt in my mind, whether she did not
intend to get me to write her a letter, and then show it to her husband, which would lead me into an unpleasant difficulty. But on
11. reflecting on what had passed between myself and young Bates—
her calling to look at me at the barn—her familiar conversation with
me a short time before, in the kitchen, together with my amorous
desires, all conspired to induce me to run the risk, and write to

12. Jesse took a chance and wrote
her a letter.

13. He used the name Joseph Orton. He
gave this fictitious name instead of
his own when he first came to Albany.
He was also given a nickname, "Doctor,"
because he wore spectacles.

N.
Jesse gave her the letter in the kitchen.
A little while later she gave him
this letter.

715. Elsie says she is in love with Jesse
and wants to run away with him.

12. her. Accordingly, next morning, in the kitchen, I wrote her a letter, of which the following is an exact copy to my best recollection:

Dear Elsie—I have seariesly considred on it as you requested of me yeasterday and I have concluded two compose a few lines two You and I thought that it was not my duty two right very freely not nowing Your object perhaps it is two get sum of my righting two show two your husband as you ar a murid woman, and If that is your intenshin It is my whish fore you two let me now it fore it is a thing that I skorn two make a distirbance betwen you and your husband but If in the outher hand It is out of pure offections I should be quite hapy for two have the information in your hand riting and I hope that you will not take any offen in my maner of riting two you as we ar pirfict strangers two each outher, but hop that thoes few lines may find free exceptan with you and after I find out your motive I can right mour freely on the subject and as for my offections thay ar quite favorible I shall expact an answer from you If that is your motive, sow I remain your well whisher,

JOSEPH ORTON.

13. [This was written on the Sabbath day.]

The signature of "*Joseph Orton*," signed to the above letter, was the only name by which I was known at Bates' or at Mr. V. Renselaer's, except the nick name of "*Doctor*," which was occasionally applied to me in consequence of my wearing spectacles; and I never did own my true name, until after my imprisonment. At about
14. ten o'clock in the morning of the day on which I wrote the above letter, I handed it to her in the kitchen, while she was standing near the stove. In a little more than half an hour, and certainly not exceeding three quarters of an hour after, she put into my hands, while I was in the kitchen, a letter of which the following is a true copy as nearly as I am now able to recollect.

"Dear Doctor—It is true I am a married woman, and we are
15. entire strangers to each other; I had no evil design on you in requesting you to write to me. My motive is from pure love for you, excited when I first saw you. The first time I ever saw you, to be acquainted with you, I fell in love with your eyes; nor have I, while you are absent, any comfort or happiness while thinking of you. And if I am a married woman, I ran away to get married,

16. He wrote a letter back to her the same day while he was in the kitchen. He told someone he was writing to a friend in Ohio.

17. In his letter he said he loved her and would take care of her if she would leave her husband. He gave her the letter around 2 p.m.

18. That afternoon, Elsie gave him another letter in the kitchen.

and I can do so again. For some time past I have wanted to express my affection for you, but have been waiting in the hopes that you would broach the subject, and this was the reason of my asking you to write me a letter, hoping that you would express your feelings towards me; and if your affections for me are as great as mine for you, you will never leave here without taking me with you. I hope you will write to me immediately, and let me know whether you have any affection for me. I have often expressed my opinion, that there was no such thing as love; but I have now altered my opinion, and am satisfied of its influence, and that you are the only one I ever did love.

I remain your true and affectionate lover until death separates us.

ELSIE D. WHIPPLE."

This letter was superscribed—"To Mr. John Whipple, Kingston, Ulster county," but not sealed. After receiving this letter, I had no conversation with her, until after I wrote, and gave to her a letter—which I had written and prepared about 12 o'clock the same day, and which I wrote in the kitchen, in the presence of the family. And on being inquired of by some of the family to whom 16. I was writing, I replied "to a friend in Ohio," but was careful not to permit any person present to have an opportunity to observe the contents. The substance of the letter was as follows: It was addressed to Mrs. Whipple, expressing my pleasure in ascertaining the object of her requesting me to write her a letter, and that she had so frankly assured me of her affection. I stated to her that the contents of her letter, now induced me to write to her more freely, 17. and explaining and voluntarily avowing my affection for her; and that if she could make up her mind, to leave her husband, and go with me, I would do all in my power to take care of and protect her; but that I did not know what she had seen in me that induced her to place her affections on me. This letter was closed by saying, "I remain your true and affectionate lover," and signed by the name of "Joseph Orton." It also contained a request to her that she should give me an answer; it was folded, sealed, and superscribed to Mr. E. Huested, Lower Sandusky, "Sandusky County, State of Ohio." At about 2 or 3 o'clock in the afternoon, I had an opportunity of handing this letter to Mrs. Whipple in the kitchen unnoticed by any of the family; and just before dark the same after- 18. noon, while I was in the kitchen, Mrs. Whipple slipped another letter into my hand, unsealed, and also superscribed to "John

19. She said she would run away with Jesse as soon as she could raise $1200 to cover expenses.

20. The same evening when no one was around she told Jesse she wanted to run a "public house" (a tavern). Jesse said he'd give it a try.

21. He suggested they run away to Montreal until Whipple stopped looking for Elsie, then they could go to Ohio, change their names and get married.

22. After that, they exchanged several letters, mostly thinking up ways to raise money. One idea was to forge a check with Whipple's name. Little Elsie V.R. helped them deliver letters to each other.

23. Around Nov 21, 1826, Elsie suggested that they try to kill Whipple. She suggested that Jesse get some Irish employee of Whipple's to do it...

Whipple, Kingston, Ulster county." in which she stated, that she
had read the contents of my last letter; that it was a circumstance
of great pleasure to ascertain my affection for her; that if I
19. could name a place where it would be safe for us to go to, she
would accompany me as soon as she could raise $1200, to defray
expenses &c. She cared not where the place named was; that she
would go to the ends of the earth to have me. Before any other
letters were exchanged between us, and I believe on the evening of
the same day, in the kitchen, and in the absence of the family, we
had a conversation to the following effect: She said she had always
20. been desirous to keep house, and was anxious to keep a *public
house;* and if she could procure $1200, she thought it would furnish
a public house well; to which I replied, that it was a business
that I was unacquainted with, but that perhaps I could turn my
hand to that as well as any thing. The next day at night I wrote
21. another letter to her, in which I mentioned that it would be best
for us to go to Montreal, and remain there a year, or until Whipple
should become reconciled in his mind. That we would then
go to Lower Sandusky, Ohio, and as that was a good place for business,
we could keep tavern there, and that it would be necessary
to be married by some fictitious names, as the marriage would
be published and we found out.

22. After this, we frequently indulged in familiar conversations, and
in keeping up an epistolary correspondence Letters were sometimes
written in the kitchen, sometimes in the barn—in the evenings
and on Sundays; the whole principally confined to devising
plans and means for raising money, and at last led to a distinct proposition
from Mrs. Whipple, for me to forge a check on a Bank
where he had kept his money, in the name of Whipple. At length
she sent me written communications by little Elsie, which were in
slips of paper *rolled* up and not directed, and I returned similar
ones through the same channel. No money having been raised,
or other means obtained which would enable us to elope; and desponding
of being able to procure the means; and as it was altogeth-
23. er impossible for me to forge the check; on or about the 21st of
November, 1826, she wrote me a letter, stating to me, that she wanted
to lay some plan to take the life of Mr. Whipple, and the plan
she suggested, was for me to go to Kingston and hire myself out to
his partner, Mr. Stone, and get some of those Irishmen to do it, or

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23 (cont'd)

or that he do it himself. She offered to give him Whipple's gun.

24. Jesse wrote back that night saying he didn't want to murder Whipple, and that he loved Elsie for herself, not her property.

25. She wrote back saying she did not love Whipple. She said another man who had fallen in love with her offered to kill Whipple, but she thought this other man only wanted her property. She said she would run away with Jesse, but hated to leave all her money behind for Whipple to spend on another woman.

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do it myself; and if, I did conclude to do it, she would let me have one of his brace of Pistols. This was the first intimation that I ever received, either by letter or in conversation, that she wished Mr. Whipple *murdered*, (tho' she had expressed in several of her former letters, a wish that Whipple would die,) nor had I ever spoken, written or intimated, to her, any thing about taking his life.

24. This last letter I answered, by one I wrote after the family had retired to bed, which I handed her the next morning, and in which I stated that her last letter had caused me such feelings as were impossible for me to get over; that my affections for her was as great as any man's could be, but to take the life of Mr. Whipple, I should do no such thing; that my love had never been for her property, but for herself; and that before I could ever be guilty of the murder of Whipple, I would remain in the situation I was the remainder of my life. If she liked me well enough to have me, I would work myself to death, or work my hands off to support her, rather than be guilty of taking the life of her innocent husband; and that if I could not obtain her without complying with her request, *that* would put an end to the subject. I had two motives for thus writing her, the one arose from an instinctive abhorrence, I could not help feeling, at the idea of taking life, and the other was to ascertain whether she was really serious in the suggestion, and would firmly adhere to it.

25. On my return from work that evening, she handed me a letter in the kitchen, the substance of which was, that she regretted that she had hurt my feelings as much as it appeared she had, and that the reason why she had made the application to me was, that she thought that I was as resolute a man as Mr. —— and that if my affection for her was as great as I had pretended it was, I would have consented to it for the sake of her and her property, to live above board, and without work. That she had no affection for Mr.—— and that she was confident that he had none for her, and that all he wanted was her property—but he was willing, *for that*, to take the life of Mr Whipple; but as I had refused to do it, she had concluded to remain as we had before, and endeavor to obtain means to run away and leave Mr. Whipple; but that she could not bear the thoughts of leaving all her property with Whipple to spend with another woman. For more than a month after this we continued our intimacy both by private conversations and letters, interchanged al-

26. They continued to exchange letters. Until around Feb. 1, Elsie never said anything more about killing Whipple, just that she wished he would die or get killed by some laborers on the Canal.

27. In January Elsie told Jesse that Whipple had hit her.

28. Jesse suggested he could waylay (hold up) Whipple on a highway, but then decided he couldn't do it. Elsie then said if he would buy some poison, she would poison Whipple. If Jesse wouldn't she said she would kill herself because she couldn't take her husband's abuse.

29. Jesse told her if she could get him $300 he would go to Montreal and hire someone to kill Whipple.

30. Around Feb. 18, Elsie was ill with small pox. While she was sick, Amanda Hill and Mrs. Groesbeeck, who were helping to take care of her, delivered letters back and forth between Elsie and Jesse.

most every evening and morning; having myself no leisure for writing, except evenings after my labor was finished, and on Sundays.

26. From this time until on or about the first of February following, nothing was distinctly said by her about killing Mr. Whipple, except that she frequently stated in her letters and in private conversation, that she wished Whipple would die, or get killed by some of the laborers on the canal.

27. Some time in the fore part of January Mr. Whipple returned from Kingston, and after being at home until the first of February, Mrs Whipple called on me in the kitchen, no one to my recollection then being present, and said to me, "I have no other friend on "earth but you, and how natural it is for me to run to you when-"ever I have any difficulty; *for John has struck me,*" (which fact I never could learn was seen or known by any of the family, and I never saw him abuse or ill treat her, but always treated her in

28. the kindest manner) to which I replied, "sha'nt I waylay and kill him?" She said "Yes." I then said, "I cannot." She then said, "If you are so faint hearted, you must consent to get some poison "and I will do it myself; and if you won't consent to get the poi-"son for me I will take my own life, for I won't bare his abuse "any longer." I then again refused to purchase any poison; but she continued for several days to urge me to get the poison; and one evening came into the kitchen with a bowl of milk in her hand, and said, "John has just come from town and wants this; and if "you had consented to have got the poison, how easy it would be "for me just to put it in and never be suspected."

29. In about one week after she first mentioned the subject of poison, I stated in a letter I wrote to, and handed her, that "ra-"ther than bring poison to the house, for fear that some accident "might take place, if she would procure me $300, I would go to "Montreal and get some one to come and take his life." This proposition was the frequent subject of our conversations and letters.

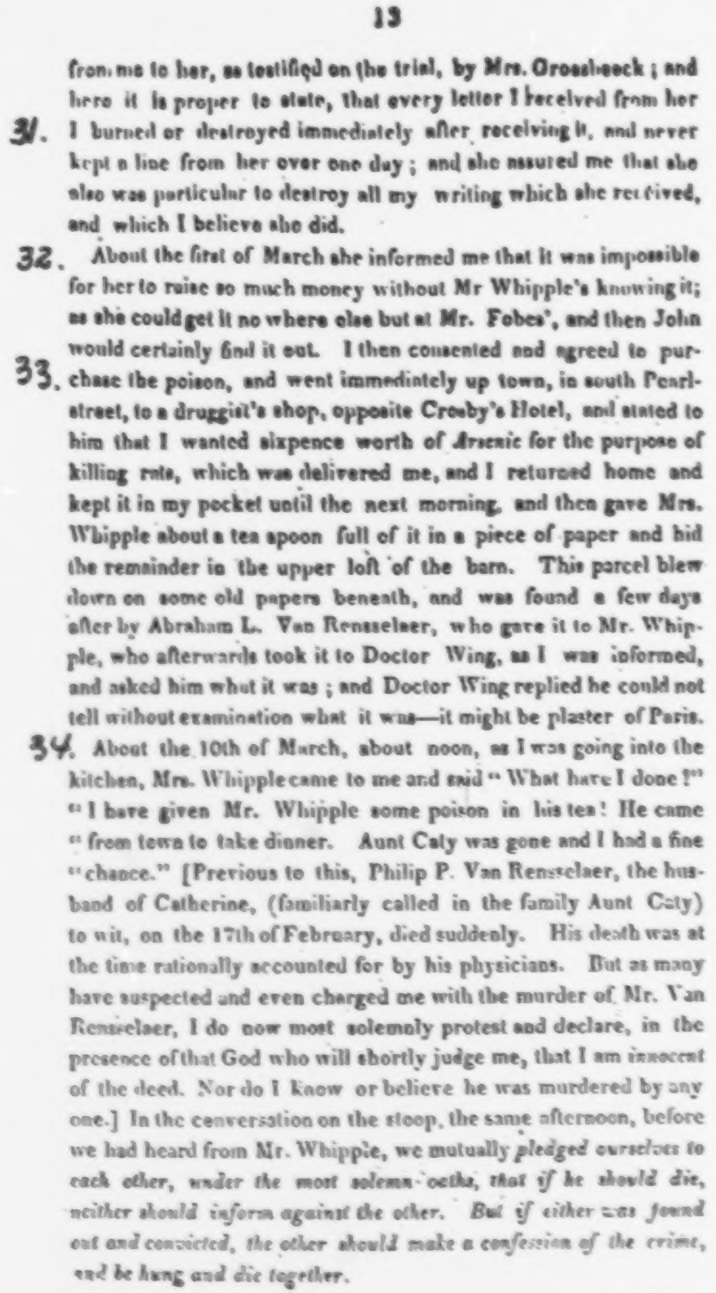
30. On or about the 18th day of February, Mrs. Whipple was taken sick with the small pox, and was confined to her bed about one week, but before the 10th of March used to visit and frequent the kitchen as formerly: And while she was confined Miss Amanda Hill of Vermont, and Mrs. Groesbeeck of Albany, attended her; and they used to bring letters from her to me, and take letters

31. Jesse burned the letters Elsie sent after he read them.

32. Around March 1, Elsie told Jesse she couldn't raise the money to hire someone to kill John without making him suspicious.

33. Jesse agreed to purchase the poison that day. He bought arsenic, saying it was to kill rats.

34. Around March 10th, Elsie put some of the arsenic in Whipple's tea. They pledged that if John should die, neither of them would inform against the other.



from me to her, as testified on the trial, by Mrs. Groesbeeck; and here it is proper to state, that every letter I received from her
31. I burned or destroyed immediately after receiving it, and never kept a line from her over one day; and she assured me that she also was particular to destroy all my writing which she received, and which I believe she did.

32. About the first of March she informed me that it was impossible for her to raise so much money without Mr Whipple's knowing it; as she could get it no where else but at Mr. Fobes', and then John would certainly find it out. I then consented and agreed to pur-
33. chase the poison, and went immediately up town, in south Pearl-street, to a druggist's shop, opposite Crosby's Hotel, and stated to him that I wanted sixpence worth of *Arsenic* for the purpose of killing rats, which was delivered me, and I returned home and kept it in my pocket until the next morning, and then gave Mrs. Whipple about a tea spoon full of it in a piece of paper and hid the remainder in the upper loft of the barn. This parcel blew down on some old papers beneath, and was found a few days after by Abraham L. Van Rensselaer, who gave it to Mr. Whipple, who afterwards took it to Doctor Wing, as I was informed, and asked him what it was; and Doctor Wing replied he could not tell without examination what it was—it might be plaster of Paris.

34. About the 10th of March, about noon, as I was going into the kitchen, Mrs. Whipple came to me and said "What have I done!" "I have given Mr. Whipple some poison in his tea! He came "from town to take dinner. Aunt Caty was gone and I had a fine "chance." [Previous to this, Philip P. Van Rensselaer, the husband of Catherine, (familiarly called in the family Aunt Caty) to wit, on the 17th of February, died suddenly. His death was at the time rationally accounted for by his physicians. But as many have suspected and even charged me with the murder of Mr. Van Rensselaer, I do now most solemnly protest and declare, in the presence of that God who will shortly judge me, that I am *innocent* of the deed. Nor do I know or believe he was murdered by any one.] In the conversation on the stoop, the same afternoon, before we had heard from Mr. Whipple, we mutually *pledged ourselves to each other, under the most solemn oaths, that if he should die, neither should inform against the other. But if either was found out and convicted, the other should make a confession of the crime, and be hung and die together.*

35. Elsie told Jesse that Whipple hadn't complained of feeling ill. Around March 12 or 13, Jesse bought more arsenic.

36. The next day he gave some to Elsie. He hid the rest in the barn. This arsenic was later lost.

37. A week later Elsie gave some arsenic to Whipple mixed in with some sulphur.

35. Mr. Whipple returned again in the evening, and, on the morning following, Mrs. Whipple informed me that Mr. Whipple had made no complaint; but from a fear that it would have the expected effect, she had thrown the remainder of the arsenic into the fire, to avoid being discovered. After this fruitless attempt, and being now destitute of any poison, on or about the 12th or 13th of March, I went into a druggist's shop a little south of the post-office, in North Market-street. In asking for arsenic at this place, I stated to the attendant that I had bought some a little while before, at a store in S. Pearl-street, to kill rats with, but it did not have the desired effect, and that I believed the reason was, that it was not good for any thing, and that I did not wish to get any unless it was genuine. He replied they had sold a good deal of it, had never heard any complaint, and that he believed it was genuine. I then purchased 6*d*. worth of him
36. and took it home. The next morning I took out about a tea spoonful of it, put it in three pieces of paper, and folding them in a letter I had written the preceding evening, delivered the whole to her in the kitchen. The residue of the arsenic I at first concealed between a rafter and the roof of the barn. Two or three days after this, as I was on the hay-garret and observed the paper containing it was not so secreted, but what it might be easily discovered; I took it down and concealed it under the box of a straw cutting machine—which machine, within a very few days after, was sold by Abraham L. Van Rensselaer to a Mr. Haggedorn a gardener on the island, and taken away while I was absent. And after my confession in gaol I requested of my counsel to go and examine the machine to see if the arsenic was still there; but he returned and informed me that he had made the examination with Mr. Haggedorn, but could find none, and they had concluded that it must have been lost in removing the machine, or at a blacksmith's shop,
37. where it had been taken to be repaired. About a week after I had delivered to her the three small parcels of arsenic, as I have above stated, she came into the kitchen to wash a small coffee cup, and whispered to me and said, "I have given him one of the *papers* of poison in some sulphur," and enquired of me whether I thought it would operate in sulphur. I told her I thought it would be more likely to operate in sulphur than any other way, as it would be more generally circulated through the system. I then asked her if any one else had taken some of it? she said "No. I mixed it in after all the rest had taken, and he took the last." The

38. Whipple didn't take the sulphur the next day, but did the third day. He also gave some to his son while Elsie watched. Elsie was worried she might have hurt her son, Abraham.

Elsie never talked of taking her son's life, nor did Jesse.

39. The next morning Elsie said it hadn't hurt Whipple or her son. At the end of March, Jesse asked Dinah if she would poison Whipple for $500.

38 next morning, before breakfast, she told me that Mr. Whipple refused to take sulphur on that morning, because the sulphur he had taken the morning before had cramped his stomach, and made him sick. She told me that she made him believe that it had the same effect on her. The morning after she came into the kitchen and told me as follows: "I have given John some more of the poison "in sulphur. After we had all taken, I mixed it for him and he took "what he wanted of it; he then called little Abraham to him, and "made him take a spoonful, and likewise made me take a spoon-"ful: I held my hand to my mouth and turned round and spit it out "unnoticed. I dared not say any thing to prevent his making little "Abraham take it, if it killed him; if I had, he would have mistrus-"ted me. What shall I give Abraham to prevent its operating up-"on him?" To which I replied, she must give him *salt*; and she then left me and went to a salt barrel which stood in an open cellar, back of the kitchen, where there were three or four barrels standing in the cellar, and when she got there she turned around and asked me, "which is the salt barrel?" and I went and got a lump of salt and gave it to her. Little Abraham, the person above alluded to, is the only child of John and Elsie D. Whipple, and at the time of my first coming into the family, he was said to be with a sister of his father's, in Vermont, and had, on or about the first of December, returned to his mother, and continued with her at Cherry Hill until the time of my imprisonment. And I do most solemnly declare, that in no conversation had with his mother, or in any communication from her, did she ever assent or in any way speak of taking his life; but her warmest affections appeared to be centered in him and his welfare: and one great inducement held out by her for the murder of her husband was, that if he lived she would be compelled to leave her child, in which case it would be like burying him. And I do most solemnly call my God to witness that I speak the truth when I say, that I never did, in any manner, attempt or desire that his life should be taken, or mention such an idea to his mother or to any other person.

39. The next morning after administering the poison, she told me that it had had no effect, that she could learn, upon her husband or her child. About the last of March, I applied to Dinah Jackson, the slave, and asked her what she would ask to poison Whipple; and inquired whether she would do it for $500: to which inquiry

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40. He asked Dinah again the next day and she said she would not do it.

41. Around April 1, Whipple decided to go to Vermont. Elsie suggested Jesse pretend to be a bandit and waylay Whipple and kill him. Jesse could not do it because he lacked an alibi.

42. Elsie and Jesse tried to write a letter to someone Whipple had legal problems with to get them to kill Whipple. They destroyed the letter since they didn't know if he could read.

she made little or no reply; but on the next morning, or a
short time after, I again asked her if she had made up her mind to
40. poison Mr. Whipple, when she answered, "No, that I won't. I
"won't send my soul to hell for all the world. If I should do it, I
should never take any comfort after it." Between the first and
second application to Dinah to poison Mr. Whipple, I came to
the city and went to Mr. Meigs' druggist store, in South Market-
street, and asked for 6d. worth of *arsenic*. They told me they did
not sell less than a shilling's worth. I purchased it, together with
one of the smallest phials they had in the shop. A small portion
of this I gave to Mrs. Whipple on my return home in the evening,
which she afterwards informed me she had dissolved in the phial I
gave her, but that she never got an opportunity to make use of it.
The remainder I concealed behind a brace in the back tool-house,
where it remained, as I have been informed, until it was found by
the gaoler, coroner and my counsel, pursuant to my directions, af-
ter my confession.

41. On or about the first of April, Mr. Whipple spoke of going to
Vermont, and said he should go in the morning stage, which would
start between two and three o'clock; and on the evening preced-
ing, *she requested me to take one of his pistols, and if I did not like
to take that, to take an axe or a club and waylay him at the foot of
Sedgwick's Hill*, (which is on the turnpike about fifty rods north of
the house) to which I replied, "I would *think* of it." And on
the next morning after he was gone, she came into the kitchen and
enquired of me why I did not go. I told her the reason was, that
I was fearful that before starting and in coming through the kitch-
en, he might call to me and enquire something about the wood lot,
and if I should not be present to answer, and he should be killed,
I should be the first person suspected. On the first Sunday in A-
42. pril, she wrote a letter in my presence, (Whipple being yet absent)
to a man I had never seen, in which was set forth several induce-
ments, and concluded by offering a reward of $300, if the person
to whom it was directed would in any way kill Mr. John Whipple,
and stated that the money should be deposited in a letter in the post
office, in Albany; the letter was not signed, but written in her own
hand, and partially indited by me. This letter afterwards, in my
presence, was burnt by her. On the same Sabbath day, we indi-
ted together, (she writing it) a letter offering a like reward for

43. In early April, George Wilson who shared Jesse's room was gone. Elsie was supposed to come down to his room that night, but didn't. The next morning she said it was because Maria had locked one of the doors which led to his room. They went off to an unoccupied room together and slept together for the first time.

44. Whipple returned several days later and stayed until April 13, when he left for Kingston. That night Jesse hired a carriage for the next day. He told Abraham V.R. he was going to Troy to get $500. left there for him. Since the death of Philip P. V.R., his son Abraham V.R., was Jesse's employer.

killing Whipple, intended to be directed to a Mr. Ladd, whom we had been informed once had a dispute and lawsuit with Whipple; but as neither of us knew his Christian name the letter was not sealed or directed, but retained by her; and on the next day I called at the house of Mr. Bates, where he had boarded a part of the preceding winter, to ascertain his Christian name, and whether he, Ladd, could *read writing*. Young Bates, of whom I made the enquiry, could not recollect his Christian name. This letter was not signed, or intended to be signed; but in it was stated, that money would be left at the post office, as in the former case. This letter I never saw afterwards, but she informed me she had destroyed it.

43. On the first Thursday in April, as I believe, George Wilson, the hired man, with whom I usually slept, being absent, Mrs. Whipple and I mutually agreed, that she should come down from her chamber and come to my bed room, and lodge with me. Early the next morning, I went into her room with wood to make a fire, as was my usual custom. This time I went in my stockings, saw her in bed with her husband's niece, Henrietta Patrick, who appeared to be asleep, but Mrs. Whipple was awake and she shortly after silently, got out of bed, came to me, and in a whisper, asked me to go into the hall. She informed me that the reason she had not come to my bed the night before was, that Maria had bolted the little door which was necessary to pass through to get into my room. We then went from the hall into an unoccupied room in the north part of the house, in the same story where she slept and there the first
44. criminal intercourse ensued that ever took place between us. In three or four days after this. Mr Whipple returned from Vermont, and remained at home until the 13th of April; and about 10 o'clock in the morning of that day left home for Kingston. In the evening of the same day, in pursuance of a former agreement with her, I went to a livery stable, kept by Charles Conklin, in South Ferry-street, and engaged a horse and carriage of him to take a ride to Troy, the next day at 4 o'clock. In the morning of the 14th, I spoke to my employer, Abraham L. Van Rensselaer, with whom, since the death of his father, P. P. Van Rensselaer, I had engaged to work for an indefinite time at fifty cents a day, whom I informed, that I was going to Troy, to get five hundred dollars,

45. He and Elsie are really planning to go away for a night together.

46. Jesse leaves Cherry Hill around 10 a.m. and hangs around town. He meets Elsie and agrees to meet her at Mrs. Sanford's later.

47. He goes to the livery stable and rents a horse and wagon because there are no carriages. He picks up Elsie at Mrs. Sanford's and drives up the Troy Road to where Stephen Van Rensselaer's house is, then goes left up the turnpike at the Four Corners from Troy to Schenectady. It began to rain so they stopped at a public house, then went on toward Schenectady.

48. They stopped at Hill's Tavern and got a room for the night. Elsie made up excuses for why they had no baggage.

45. which had been left in the Troy Bank for me, and which sum I
wished to take on to Ohio in part payment for a lot of land, as I had
frequently told him and others in the family that I owned 300 acres
of land there, although a laborer. I mentioned to him that my
business might perhaps detain me until the next morning. I left
46. Cherry Hill about 10 o'clock in the morning, and loitered about
the city until a little before 4 o'clock in the afternoon. At about
2 o'clock, I saw Mrs. Whipple on the stoop of the Columbian Hotel,
kept by Mr. Fobes, and which hotel is the property of Mrs.
Whipple. From the stoop she walked up South Market-street;
I passed through several streets and at last met her at the junction
of Beaver and South Market-streets, and on the side-walk we agreed
to meet each other at Mrs. Getty Sanford's, in Patroon-street.
47. A little before 4 o'clock in the afternoon, I called again at the livery
stable for a horse and gig, but no gig being at home. I concluded
to take a one horse wagon, and as there were strong indications
of a storm, I asked Mr. Conklin for, and obtained the loan of an
umbrella. I got into the waggon and drove to Mrs. Sanford's where
I took Mrs. Whipple from the stoop; then drove up the Troy
road as far, as opposite the mansion of the honorable Stephen Van
Rensselaer, where we turned to the left and went about seven
miles to the turnpike leading from Schenectady to Troy, at a place
called the Four Corners. It was now about sun set, and having
commenced raining quite hard, we got out of the wagon and went
into a public house, which I have since learned was kept by a Mr.
Yearsley, ordered my horse to be fed with hay, and took something
to drink. After remaining nearly half an hour, and the rain
having nearly subsided, we started again and travelled westward on
the turnpike, towards Schenectady; and after travelling, as I supposed,
about two miles, it became quite dark, and there arose from
the west a very heavy thunder cloud, accompanied with vivid
lightning, and soon commenced raining, which compelled us to
48. turn about and make all speed in our power to the tavern of a Mr.
Hills, which we had passed, and which was about 1 1-2 miles west
of Yearsley's. We went into the house, and I bespoke lodging
for the night. My own clothing, as well as Mrs. Whipple's, and
more particularly her bonnet, being very considerably drenched
by the rain. I called for supper, and Mrs. Whipple made a foolish
excuse for our arriving in the rain at night without baggage, by

49. The next morning they returned to Albany on Shaker Road. Elsie got out at North Market and Patroon St. and went to Mrs. Sanford's.

50. Jesse returned the horse and wagon, then returned to Cherry Hill, arriving around 8 a.m

51. Jesse saw Elsie at noon and asked her when she had gotten back - she said around 11 a.m. They talked about running away to Montreal together for a while.

52. Elsie said she could not bear to leave her son, then suggested that Jesse take one of Whipple's pistols and shoot him through the window. Jesse said he had never fired a pistol and would probably shoot the wrong person.

stating that we resided in Schenectady, and were on our way to Albany to take the steam boat for New-York, early the next morning. That we had sent our baggage, on the Albany and Schenectady turnpike by stage, and had been delayed until late in the afternoon from starting ourselves, in consequence of having a sick child, and then, instead of taking the direct route, had come this round-about way for Albany. Which story, Mr. Hills, on my trial, testified I had told him, in the same manner that Mrs. Whipple had told some of the females of the family. After supper we retired to bed, and lodged in the same bed, as man and wife. We arose
49. next morning and got ready to start just at sun rise, and leaving Yearsley's tavern to the left, returned, on the Shaker Road, so called, direct to Albany, coming out by the Patroon's at the same place we left the Troy road, on going out, drove to the corner of North Market and Patroon streets, where Mrs. Whipple got out of the waggon and went, as she has since said, to Mrs. Sanford's, where I first took her into the waggon. I drove directly to the
50. livery stable. left the horse and waggon, paid the hire of it out of money received in change for a five dollar Albany bill, which Mrs. Whipple gave to me on the morning of the 14th, which she said she took from Mr. Whipple's pocket book that morning, for the purpose of defraying the expenses of the route, and I arrived at Cherry Hill, at about 8 o'clock in the morning. On coming from
51. labour to my dinner at about 12 o'clock, I saw Mrs. Whipple, and privately asked her what time she got home, and she informed me at about 11 o'clock. In our conversation during this ride, we mutually agreed, that inasmuch as Mr. Whipple had left Cherry Hill and gone to Kingston, that she should go to Mr. Fobes', the tenant, and take up one hundred dollars, and with that start for Montreal—myself to leave Cherry-Hill first, for a few days, and keep concealed, and then return and privately take her off.

This project was under consideration until about the 20th of
52. April—at which time she expressed herself that she could not bear the idea of going off and leaving her little son; and expecting Mr. Whipple to return daily, about this time, she proposed to me to *wait until he should return, and, with one of his pistols, shoot him in the house, through the window.* I made answer, " I had never fired a pistol in my life, and should be as likely to kill any one else of the family as him.

53. Elsie asked him what he could do it with and he told her a two barreled rifle. She told him to ask around town about buying one. On about April 20th he went to a gunsmith's and priced several rifles. He told her the prices and she decided to try to raise some money.

54. Jesse began telling the family a day or two later that he had seen prowlers lurking around the house at night.

55 Around the end of April, Jesse told Elsie he thought he could buy a single barreled rifle for $25 and use it to kill Whipple. Then around may 2nd, she gave Jesse a $20 bill and a $5 bill she had gotten from Mr. Fobes. Jesse used the $20 bill to buy a $15 rifle from the gunsmith.

56. Jesse hid the rifle outdoors at the end of the house then moved it after dark.

53. She then asked me what I could do it with, I made answer, with
nothing less than a two barreled Rifle; she then requested me to
go to town and enquire the price of a two barreled Rifle. On, or
about the 20th April, I went to Moore's, a gunsmith, living in Beaver
street, and inquired the price of a double barreled Rifle,
which he then shewed me, for which he asked $60. I also examined
two single barreled Rifles, the price of one was $35. the
other $25; I then returned, and the same evening, Mrs. Whipple
being in the kitchen with the rest of the family, asked me if I had
been to town, I told her I had—she asked me if I had inquired the
price of *socks*, I said yes, she then asked me what the price was,
I answered, "*sixty cents*," she replied, "that's very dear," I answered,
that was the lowest, and that the best kind was a *hundred
and twenty cents*, Within one or two days after, she wrote to me,
stating that she would endeavor to get thirty dollars of Daniel Winne,
54. a merchant, and the residue of Mr. Fobes. It was about this
time that I reported, for the first time in the family, that I had seen,
one or more persons lurking about the house and yards at a late
hour in the night, and that I believed they were there for no good.
55. On or about the last of April, I informed her that it was not sure
that I could kill Mr. Whipple on his return, but that I thought I
might do it with a single barreled Rifle I could purchase for $25.
On or about the 2nd day of May, she handed me a twenty dollar
bill and a five dollar bill, which she informed me she had procured
at Fobes's, and on the next evening, I went to Mr Fay's, a gun
smith in Beaver street, and purchased of him a Rifle for $15, and
passed to him the *same* twenty dollar bill she gave me, which left
in my hands ten dollars. I received of Mr. Fay, a three dollar bill
and a two dollar bill, in change for the twenty dollar bill, the two
dollar bill I got changed the same evening, at March's Grocery, in
South Pearl-street, in a purchase of some sugar toys for the children.
The next day about four o'clock in the afternoon, I gave
Mrs. Whipple the same five dollar bill she first gave me, and the
one dollar bill I received from March, and two shillings in change:
and immediately thereafter, she gave the same five and one dollar
bills to Henrietta Patrick, to go to town and buy two yards of lace,
I retaining the three dollar bill I received from Fay, together with
the balance of change I received from March. On stopping at
56. March's, I hid the Rifle out doors at the end of the house; and on

57. Jesse tells Elsie he has bought the gun and hidden it in the necessary.

58. Elsie urges Jesse to practice with the gun on Sunday (May 6) to make sure he can shoot it properly. She brings him a pane of glass to practice shooting through. He tells her he has no gun powder, but can whittle the bullets. She finds some gun powder for him.

going from their house, at about ten o'clock, I was careful to con-
ceal it by hiding it in the loft of the necessary, and placing it entire-
ly out of view, before I went into the house. After thus securing
57. the Rifle, I went into the kitchen, when Mrs. Whipple asked me if
I had been to town, I told her I had, she asked me if I had bought
me a *pair of socks*, I told her I had, "what was the price," she en-
quired, I told her I was ashamed to tell her, but the same evening,
a little while after, having a convenient opportunity, I told her the
price of the RIFLE was $16; She asked me if any one had seen
it, I told her no; she then enquired where I had put it, I told her
overhead in the necessary.

On the evening of the 4th I composed and wrote a letter to Mrs.
Whipple, in which I stated, as all things were ready, if she said so,
I would proceed no further; but little did I expect that she or my-
self would stop there, having proceeded so far in our wicked de-
signs. On Sunday morning the 16th of May, I spoke to her in
the kitchen, and informed her that the gun, pointing to one then
hanging over the door, with which I had shot a dog for Abraham,
a few nights before, kicked. She replied, "how do you know but
58. "what the one you got will," I told her, "I did not know but it
"would." She then told me, "I must try it;" that there was a man
in New-Brunswick shot at another, through the window, and the
ball glanced and did not hit him, and this may be the cause of your
missing John, and you "may kill somebody else." Soon after, she
brought to me a pane of window glass and handed it to me before
the family, and directed me to set it in the window, to replace one
that had been broken by Henrietta Patrick. I tried it and informed
her it was one size too small, which was the case. This pane I
left upon the sill of the same window, but by her directions, I
went afterwards and found under my pillow, *two other panes of glass*,
in all respects, corresponding with the one she handed me in the
kitchen. I then told her I had no powder, but the balls I could
whittle. She then informed me she knew where there was some,
and went into the bed-room of *William Willson*. [George Willson,
his brother, who had formerly slept with me, having left there on or
about the 6th of April, and William Willson having at all times oc-
cupied a bed-room separate from mine] and got a powder horn
down, she called to me and said, "*here is the powder horn*," I then
went in and turned out some, into a piece of paper, and put the

59. Elsie goes off to church and Jesse whittles three bullets from a riding crop.

60. Jesse takes the bullet and the glass pane, gets the rifle, and goes off into the woods. He practices shooting through the glass and comes close to his target.

61. He tries it again at about the distance he will be from Whipple and comes close to the target again. Then he returns to the house.

powder horn back in the place where she directed me. She also
enquired of me where I intended to try the *experiment*, that she
might come to the place if I was not in, when she returned from
59. church. She then dressed for church, and while she was engaged
in dressing, I whittled, from a piece of lead taken out of the stock of
a mounted riding whip *three bullets*; this she saw me doing before
she went to church, and Abraham saw me have the lead, as he testified in court. She then left home for church, in company with
the most of the family. Soon after they had gone to church, I took
60. the two panes of glass and placed them under my vest, went into the
necessary and took the Rifle, and went south-west about eighty
rods, into a piece of woods; there loaded the Rifle, set a pane of
glass on an old pine stump, went back about two rods from the
stump, bringing myself in a direction to take aim through the glass
at a small white blossom, which I had placed on a yellow pine
tree, standing about one rod from the stump. This pane of glass,
stood perpendicular and at right angles with the line of the ball; then
placing myself on my knees, and holding the Rifle at arms length
without any rest, I fired, and hit the mark. I then took *two* of the
largest pieces of the pane through which I had fired, and placed
them together *double*, set them on the same stump, so as to make an
angle of about forty-five degrees with the line of the ball. I then
placed another blossom as a mark on the same tree, about an inch
and a half lower than the first mark, and then went about four rods
from the stump, which, from the descent of the ground, brought me
about two or three feet lower than where I stood when I first fired
and standing erect, with the Rifle at arms length, I fired through
the double glass, and the ball hit within about half an inch of the
mark. I then placed the other pane of glass on the stump at about
the same angle as I had the double glass, and raising the mark
about one foot above the first mark on the tree. I then went back
61 as many as seven rods from the stump, being about the distance
that I supposed it was, from the barn loft to the window of the room
in which Mr. Whipple lodged: at which place I had calculated to
shoot him. I stood and fired as before through the glass, and the
ball hit within about one inch of the mark. I then returned to the
barn, secreted the Rifle between the ceiling and siding in the stable, and then went into the kitchen; the family had returned from

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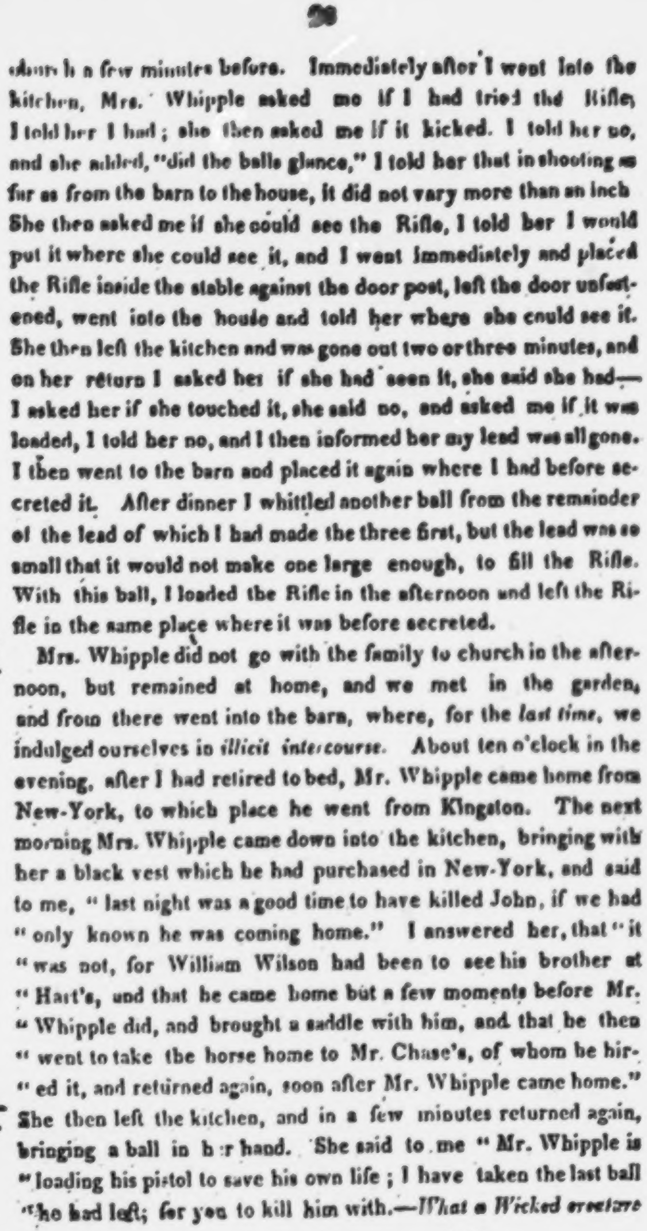
62. Elsie is in the kitchen and asks about the practice. Jesse tells her it went well. She asks to see the rifle and he tells her where he hid it. She goes and looks at it.

63. After dinner Jesse whittles another bullet, but it is very small.

64. Elsie doesn't go to church with the family in the afternoon. She and Jesse go to the barn and sleep together. Around 10 p.m. Whipple returns from New York City.

65. The next day Elsie gets a bullet from Whipple's pistol for Jesse.



62. church a few minutes before. Immediately after I went into the kitchen, Mrs. Whipple asked me if I had tried the Rifle; I told her I had; she then asked me if it kicked. I told her no, and she added, "did the balls glance," I told her that in shooting as far as from the barn to the house, it did not vary more than an inch She then asked me if she could see the Rifle, I told her I would put it where she could see it, and I went immediately and placed the Rifle inside the stable against the door post, left the door unfastened, went into the house and told her where she could see it. She then left the kitchen and was gone out two or three minutes, and on her return I asked her if she had seen it, she said she had— I asked her if she touched it, she said no, and asked me if it was loaded, I told her no, and I then informed her my lead was all gone. I then went to the barn and placed it again where I had before secreted it.

63. After dinner I whittled another ball from the remainder of the lead of which I had made the three first, but the lead was so small that it would not make one large enough, to fill the Rifle. With this ball, I loaded the Rifle in the afternoon and left the Rifle in the same place where it was before secreted.

64. Mrs. Whipple did not go with the family to church in the afternoon, but remained at home, and we met in the garden, and from there went into the barn, where, for the *last time*, we indulged ourselves in *illicit intercourse*. About ten o'clock in the evening, after I had retired to bed, Mr. Whipple came home from New-York, to which place he went from Kingston. The next morning Mrs. Whipple came down into the kitchen, bringing with her a black vest which he had purchased in New-York, and said to me, "last night was a good time to have killed John, if we had "only known he was coming home." I answered her, that "it "was not, for William Wilson had been to see his brother at "Hart's, and that he came home but a few moments before Mr. "Whipple did, and brought a saddle with him, and that he then "went to take the horse home to Mr. Chase's, of whom he hired it, and returned again, soon after Mr. Whipple came home."

65. She then left the kitchen, and in a few minutes returned again, bringing a ball in her hand. She said to me "Mr. Whipple is "loading his pistol to save his own life; I have taken the last ball "he had left; for you to kill him with.—*What a Wicked creature*

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66. Whipple comes to talk to Jesse about the prowlers. He tells Jesse they are probably after his money and Jesse ought to shoot them. Jesse says, "I might make a mistake and shoot you."

67. In the afternoon Jesse loads the rifle with the bullet Elsie gave him.

"I am," and then handed the ball to me. I put it into my 66. pocket, and in a few minutes after Mr. Whipple came into the kitchen and said to me, "Joseph, what does all this mean, about " those men being about the house, at so late an hour in the night; " perhaps they are after me for the sake of my money; they may " get me, but they wont get much money. Joseph, why dont you " shoot them." I told him we had a gun hanging over the door, prepared for that purpose. I then said "Mr. Whipple, you generally come home in the night, and I might possibly make a " mistake and shoot you." He said, "When I come home in the " night, I come directly into the house. I dont lurk about it." " Joseph do you shoot them in the legs. and if you cant shoot " them in the legs shoot them in the head, so that you can get a " chance to shake hands with them, and see who they are." Some conversation then passed between us about my going to Kingston to work for him, but no bargain was made. After breakfast I went into the field to work, and remained there until twelve o'clock. I then returned to the barn, fed the horses, and went into the kitchen, and Mrs. Whipple being there, whispered to me, and enquired whether I had prepared the piece with the ball she had given me. I answered no, but shall do it this afternoon. I then, before eating dinner, went to the stable, took the rifle, went south west into the burying ground, about forty yards from the house, and discharged the rifle into a yellow pine bush, about six inches in diameter, and then returned to the stable *and loaded the* 67. *Rifle with the same ball she gave me*; but before loading I was compelled to lessen the ball by whittling it, and having no *patch*, forced the ball down without one, using but a small charge of powder; took out the old flint and put in a new one, which I got in the hay loft, where there were a number more, and where had been a large quantity of cannon ball, bomb shells, fire-rockets &c. The gun thus loaded and prepared, I replaced where it was before, and then returned to the house and took my dinner. After dinner I went to a black-smith's shop and got some staples and ketches made, and went to the house formerly occupied by Bates, and put them on the doors of the house. I took a lock off the bar-room door and brought it home to repair; sat down in the kitchen and took it apart. While thus engaged Mrs. Whipple came and

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68. Elsie comes down to the kitchen to ask Jesse how he plans to shoot Whipple. He tells her he will either shoot from the hay garret or the back shed. She agrees to roll up the curtain to make it easier. He tells her he needs a pair of socks to wear for this. She tells him she'll get them and put them under his pillow. She also asks what he will do with the gun and he says he will throw it in the well or the river. He goes outside to do chores.

69. Later Elsie borrows a lead pencil from Abraham V.R. and writes Jesse a note telling him to throw the gun as far as possible.

70. Jesse returns to the house and asks Henrietta Patrick if she will make a pair of pants for him.

68. sat down by me, and enquired if I had prepared the *piece* with the ball she gave me. I told her I had. She asked me to tell her the place from which I intended to shoot him I informed her from the hay garret if I could, if not then from the back shed. *She agreed to roll up the window curtain.* I then requested her to let me have her over-shoes. She told me they were so small I could not get them on. I then told her I must have a pair of socks, *which she agreed to give me*—having received a pair from her before, in the presence of some of the family, and which were the same socks I had on when arrested. She told me she would put another pair of socks under my pillow. She enquired, what I intended to do with the gun after shooting. I told her it would be a good plan to throw it into the well or the river. Having finished repairing the lock, I went to the barn to get the horses, and led them to the well to water them; and while standing there she called to me from the hall in the third story, to know if she should throw the socks out of the window, into the yard. I said she must put them where she had agreed to, under my pillow, for I could not get them in the yard, without being discovered. She then told me that her aunt Maria Matilda had told her that John talked of going to the next door [The north part of the house occupied by the old lady.] to spend the evening, and asked if it would make any difference. I said that if he went to the next door she must hang an old shoe on a stick that I would set against the kitchen stoop. She then said John is a little sick and perhaps he may go to bed. I told her if he did, she must hang a white cloth on the same stick. All this conversation passed between us while I was standing by the well and she at the window in the hall, of the third story of the house. The family, in consequence of its raining a little at the time, being all in the house. A little before

69. this time, and at the time I was last in the kitchen, she put into my hand a few lines, written with a lead pencil, which she got of Abraham L. Van Rensselaer, as testified by him; in which she directed me to throw the gun as far as I possibly could, if any of the family should come out

70. After concluding the conversation at the well, I led the horses to the stable and fed them and returned into the house I then asked Miss Patrick if she could make me a pair of pantaloons that week,

71. She says she can't, so he says he will go to town in the evening and get some. Whipple returns and again tells Jesse to shoot any prowlers he sees.

72. Jesse goes into his room and finds socks under his pillow. Jesse goes into town and buys material to have pants made, then hangs around the store talking.

73. He stops several other places in town doing small errands until after nine o'clock. He returns to Cherry Hill and sees Elsie and others in the kitchen.

71. as I had concluded to go to Kingston to work for Mr. Whipple; she said she could not. I then told her I should go up town that evening, and get them. At this time, Mr. Whipple returned to the house from the city, and said to me, "Joseph, if you see any of "these men about the house be sure to shoot them;" he then left the room, and Abraham came in, and asked me what would be good for the Horse that had been kicked that afternoon; I told him there was nothing better to be had than oil of spike, he then told me I must get sixpence worth, if I was going to town; he gave me the sixpence and I asked the wench for a phial to put it in; she gave
72. me a phial. I then went into my bedroom, put on my pea-coat, and looked *and found the socks, or half stockings, under my pillow, took them and put them into one of my pea coat pockets.*

I then started for town, it being nearly dark, when in the city, I went directly to Sheldon & Sykes's store in South Market-street, being about one mile from Cherry Hill; of them I purchased the cloth and trimmings for a pair of pantaloons, in pay for which I delivered them the three dollar bill received in change from Mr. Fay. While at the store of Sheldon & Sykes, and in selecting among other articles, the buttons for my pantaloons, I told them I wanted black wood buttons, they shewed me some, the holes of which were not drilled entirely through, and we went to work with pins to bore them through, with some we succeeded, some we split, and at last, after spending a considerable time at this, I concluded to take horn buttons. I then requested them to look over my account, and spent some time in talking about that, and in conversation about a sixpenny piece, which had been cut in two and tied together with a thread; thus idling away my own time and the time of the clerk, until sometime after he had closed the windows, and when I left there I believe it to have been about twenty min-
73. utes past 9 o'clock. From there I went to Meigs's Druggist store, purchased the sixpence worth of oil of spike, then called in at a taylor's shop, and enquired if I could get my pantaloons cut, and being answered that I could not, on account of its being so late, I hurried and run from there down South Market-street, turned into Church-street, to Ferry-street, then up Ferry street to South Pearl-street, down South Pearl street, to the city line down the front court yard at Cherry Hill. I went to the south-east kitchen window, looked in and saw Mrs. Whipple sitting in the corner

74. He sees Catherine V.R. in her bedroom sewing. He goes up into the hayloft and sees someone sitting in Mr. Whipple's room, but can't tell who it is. He goes into the yard, takes off his boots and puts on the socks Elsie gave him.

75. He climbs up on the shed roof, and sees Whipple and Abraham V.R. in Whipple's room.

76. Whipple is sitting about 8 feet from the window and Abraham is across the room. Jesse thinks he can shoot without hitting Abraham.

smoking, Maria Van Rensselaer, Henrietta Patrick and the wench sitting about the fire. From there I went to the kitchen stoop, to see if any signal had been placed on the stick which I had put there, just before I went to town. It was a small stick of wood about four feet long; I found no signal on it. I then went to the south-west corner of the house, looked through the window, saw
74. the widow, Catharine Van Rensselaer, sitting in her bedroom, as I believe, sewing. I then went into the barn, went up into the hayloft, from which place I could see some person sitting in Mr. Whipple's room, but could not distinguish who it was. I then went into the stable and got the Rifle; then went to the north west corner of the lot, by a board fence under the hill, below some cherry trees, which is about ten rods from the house; I there pulled off my boots and socks, put my socks into the boots, and put on the socks which I had taken from under my pillow; pulled off my pea coat, &c. wrapped my bundle in it, laid that, together with my boots, in a corner by the side of the fence; then went into the west court yard, laid the Rifle down, and took a wood box standing by the fence, and moved it to the north-west corner of the back shed, the box being about four feet high: (the shed is situated on the west side of the house, and attached to it; is about eight feet wide and twenty long, commencing about fifteen feet from the north
75. end of the house, and extending south, to the north casing of the window, through which I shot Whipple. The eave trough is about eight feet from the ground,) I then went and took up the Rifle, went to the box, got upon it by the aid of the Rifle, laid the Rifle in the eaves trough, put one hand on the eave trough, the other on the roof, and one foot on an iron hook nailed just above the box and jumped upon the roof. I then walked to the south end of the shed, looked through the window; (a small part of the curtain being rolled up,) and saw Mr. Whipple sitting on the west side
76. of a small table diagonally from the window, a cross the room, and southerly from the window, and Abraham L. Van Rensselaer sitting opposite, and east from him, across the table, and in a low rocking chair. Whipple was sitting eight or nine feet from the window. This position was such that I supposed I could shoot Whipple without endangering the life of Abraham. I then returned and took up the Rifle and went back to the window, opened the pan of the lock, took a paper I had previously put over the

77. He loads the rifle and shoots. He hears Whipple say "Oh, Lord! Jesse steps back, then slips and falls off the roof. He runs out of the yard.

78. Jesse goes into the woods and buries the rifle in a ravine. He changes into his other socks and puts on his boots and coat. He leaves but has to go back and get the muddy socks. He buries them a distance away.

77. priming to keep it dry, shut the pan, cocked the Rifle, and put the muzzle close to the sash, at the north lowermost pane of glass, standing erect, and Abraham's face then being out of my sight, I took deliberate aim, immediately under his left arm, and fired with as much composure as if I had shot at a deer. *Oh, Lord! can so terrible a sinner be forgiven?* I instantly heard Mr. Whipple exclaim, "Oh Lord," and I retreated three or four steps towards the north end of the shed, when I accidentally slipped, flung my rifle, and fell from the roof on to the ground. I instantly sprung onto my feet and made the ejaculation, "Thank God I am not hurt!" took up my Rifle, went out of the north gate of the west court yard, ran down the hill towards the north-west corner of the lot where I had left my coat, bundle, and boots, flung the gun over the fence, which stuck into the ground by the muzzle, threw my coat, bundle, and boots over the fence.

All this happened according to my best calculation and belief, within ten or fifteen minutes, at the most, from the time I left Sheldon and Sykes' store; and I have been informed that Messrs. Sheldon and Sykes' clerk had said that in his opinion, it was as late as half past nine, when I left their store; which would bring it to the precise time that the family supposed Mr Whipple was murdered. After throwing my things over the fence, as I have above stated, I jumped over, took the gun, coat, bundle and boots, and ran north, on the west side of a board fence, about twenty-five rods, to the corner of the lot; then threw over the gun, coat, bundle and boots, jumped over the fence, took up the articles I had thrown over, and ran west on the north side of of a board fence, about twenty rods to the corner of the lot at the woods—then got
78. over a pole fence, turned north about four rods to a ravine—there I ran the rifle into sandy mud, which had been washed down the ravine—I stamped it on the breech, and gathered a small quantity of leaves and strewed them over it. I then went across the ravine, pulled off my socks, laid them by my side, put on my other socks and boots, and my pea coat; took up my bundle under my arm, and went a bout two rods; when I recollected that I had left my muddy socks on the ground. I then returned and picked them up and again ran back a north-west course through the woods, about eight or ten rods; got over a brush and pole fence; thence crossed over the point of a hill, in an open field; went down to the bottom

79. He cuts around through the woods and comes out onto the Bethlehem turnpike.

80. He sees people going down to Cherry Hill and he follows them.

81. One of the servants opens the door, sees Jesse, and tells him to come in, and that Whipple has been shot.

82. He goes up the stairs and sees Whipple's body in the hall. Abraham asks Jesse to take a gun and look around for anyone outside.

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of a large ravine, which is about ten rods north of the brush fence,
and in the bottom of the ravine, in the mud and water, I stamped
down the socks I wore when I committed the murder. I then turn-
79. ed north out of the ravine and came to a board fence which is
about 12 or 15 rods from the ravine; the board fence runs east
and west, on the south side of a road that runs east and west, and
at right angles with South Pearl street, or rather the Bethlehem
turnpike, which is a continuation of South Pearl-street. I here
jumped over the fence into the road, at a place about sixty rods
west of where said road joins the Bethlehem turnpike, leading to
Cherry Hill. I crossed the road and got into a lot on the north
side of the road, then turned north-east and went about thirty rods;
then got into a lot that joins the turnpike, and went about thirty
rods. Then crept through a fence into a lot north, went about
twenty-five rods a north-east course, to the corner of a stable stand-
ing about eight rods west of Pearl-street, and about one fourth of
80. a mile north of Cherry Hill. When I got to the stable, I saw peo-
ple going over the hill down the turnpike, towards Cherry Hill. I
immediately got into the turnpike and followed, being then about
twenty rods in the rear of them. When I came up to the front
court yard there were three or four men standing by the gate, and
one or two by the stoop, trying to get into the house at the front
door which was not yet opened. The wench immediately
81. opened the door and asked "Is that you, Doctor?" I answered,
"Yes:" she said, "Come in—Mr. Whipple is shot." I imme-
diately went in, threw my bundle down and went up to the head of
the stairs where Mr. Whipple lay in the hall north and adjoining to
the room where I shot him. And Abraham L. Van Rensselaer did
testify on my trial that his first suspicion, that I was guilty of the
murder, was occasioned by my immediately *turning pale* when I
82. here first saw the body. The body lay at the head of the stairs,
his feet and legs projecting about a foot over the steps. I was
then requested by Abraham to take his gun and go round the house
and see if I could discover any one about the house; I went im-
mediately, in company with Robert Milligan, a neighbor, into the
kitchen, took the gun and went to the south west corner of the
house; there Milligan said to me, "It is of no use, there is nobo-
dy about the house at this time." We then returned into the
kitchen, put up the gun, and I pulled off my pea coat, and then

83. Catherine V.R. asks Jesse to go out and fasten her window shutters so she will be safe. The doctor arrives and says Whipple is dead. Jesse is sent to town to get the coroner.

84. Jesse returns and is sworn as one of the coroner's inquest jury. He sees Elsie but does not talk to her.

85. The next morning he goes to get Dr. Wing to take out the bullet.

86. Jesse tstifies about the prowlers to the Coroner's inquest jury. Their verdict is that Whipple was shot by some unknown person.

87. Early in the afternoon Elsie asks him if he has disposed of the gun and socks.

83. went to the head of the stairs in the second story, where Mrs. Catharine Van Rensselaer requested me to go out and unfasten her window shutters, that the windows might be safely closed. I went and did so, and then returned to where the body lay, at which time a physician had arrived. The physician said he was dead. I was sent to town by Abraham L. Van Rensselaer to get Mr. Fredenrich, a coroner; he not being at home, I went to Crosby's hotel and enquired for Fredenrich, and the bar keeper said he thought it probable he was in the theatre, and I asked him if he would go in and see; he went into the theatre, returned and told me he had not found Mr. Fredenrich, but that he had found another coroner (Mr. Thomas L. Pemberton) who would go immediately down. Having also been requested by some one of the family to give notice of the murder to Mr. Fobes, I went from Crosby's there, did the errand, and went home. On my return I

84. was summoned and sworn as one of the coroner's inquest, and after all the jurors were sworn, the corpse was taken up by some others of the jurors and carried into the front room of the second story, where the body was undressed and the wound discovered. It was then concluded to adjourn the inquest until 9 o'clock the next morning, for further examination. Soon after this I went into old Mrs Van Rensselaer's room, where I saw Mrs. Whipple for the first time after the murder, but no conversation passed between us, nor did we have any that night.

85. The next morning I was sent after Doctor Wing, to come down and assist in extracting the ball, and I undertook to give him a particular account of the persons lurking about the house, and my suspicions that Whipple had been murdered by some laborers on the canal (as he testified in court) The ball was ex-

86. tracted, and I was sworn as a witness before my fellow jurors, and no doubt excited the suspicion of the coroner by reason of showing so much zeal to fix the guilt upon strangers, and my indifference in not wishing to see the ball, after it had been extracted, (as he testified on my trial.) We returned a verdict, that the death was occasioned by John Whipple's being shot by some person to

87. the jurors unknown. About 1 o'clock in the afternoon, while I was sitting on a bench in the kitchen, Mrs. Whipple came to me and asked me if I had secured *that piece?* I told her yes. She then asked me what I had done with the socks? I told her I had

88. Soon after Jesse is called to the Police Office and questioned. He tells about the prowlers.

89. The next afternoon, Elsie tells Jesse they are being suspected of murder. Abraham V.R. comes and tells Jesse he is wanted at the Police Office. He is taken there and locked up. He is examined several times and lies about his activities on April 14 (the trip to Hill's Tavern) but tells the truth when they show him Elsie's affidavit admitting the trip. Jesse is then charged with murder. He sends for J.V.N. Yates to be his lawyer and he tells them his real name is Jesse Strang and that he left his wife because he thought she was having an affair. (Although he says that was a lie).

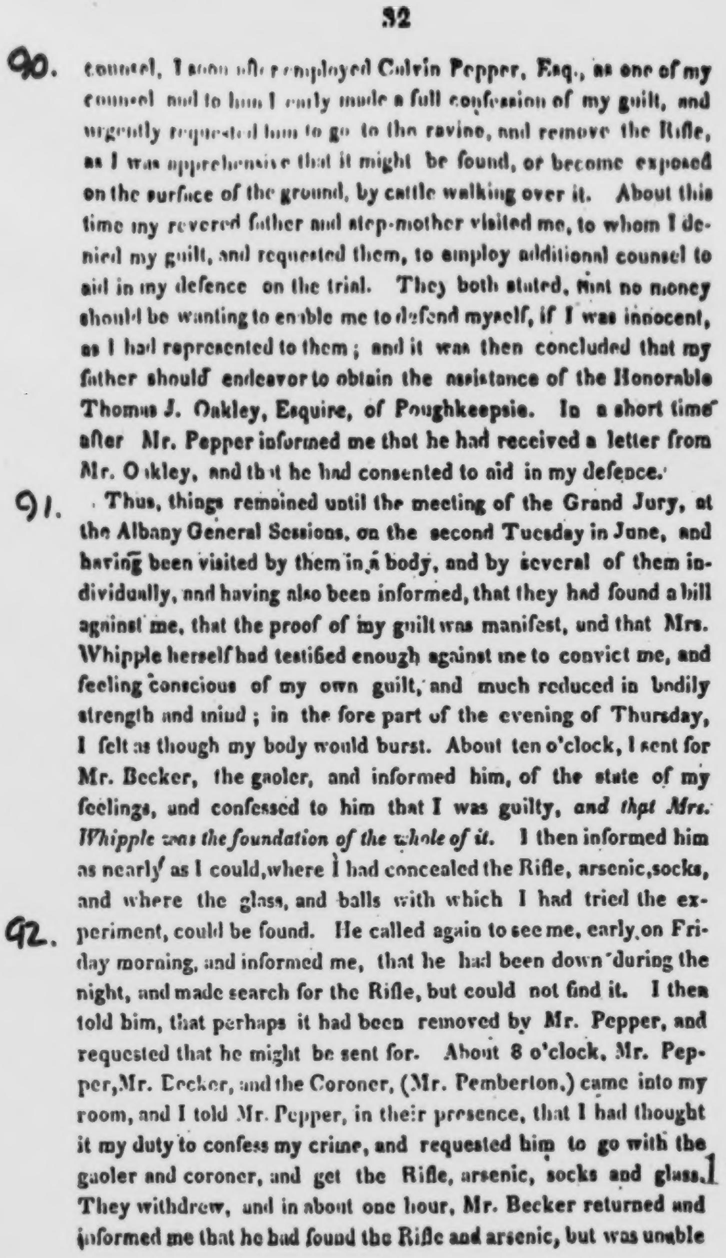
88. taken care of them. Soon after this conversation, I was sent for and examined on oath, at the Police Office, and was particularly questioned, relative to the persons I had reported to have seen lurking about the house. I told the police officer, that I had met a man with a gun on his shoulder, going up town, in Pearl-street; which fact I stated, because I had been told that when Killian Van Rensselaer (who was the first person that left Cherry Hill, after the murder) had taken his gun with him, and had not learned that he had left the gun at the grocery store of Mr. Milligan, who lives south of the city in the town of Bethlehem, (which fact, as I have since been informed, was afterwards ascertained by the police.) After being detained for a considerable time on this examination, I was discharged; and have since been informed that the clerk of Messrs. Sheldon & Sykes confirmed my story; that it was not possible for me to have gone from their store at the time I did, and have arrived at Cherry Hill, before the murder.

89. I had no particular conversation with Mrs. Whipple, except in the presence of the family, until about four o'clock in the afternoon of the next day; when Mrs. Whipple said to me, in the kitchen, "*they suspect you and me, and talk of taking us up*;" and immediately thereafter Abraham L. Van Rensselaer came and called me out of the kitchen, and I was informed that I was wanted at the Police, and was taken to the Police Office, and kept there some time, and then committed to prison, without further examination, that day. After which I was several times examined, by the public officers; and at first told them many falsehoods relative to my journey on the 14th of April, but at length confessed that I had been out and lodged with Mrs. Whipple as man and wife; but not until they had shewn me her affidavit, in which, they stated, she had sworn to the same fact; and Mr. Fay and his journeyman having called to see me in gaol. I was then fully committed on the charge, of the murder, and about this time I sent for J. V. N. Yates, Esq, as counsel for me, and to him I first disclosed my true name *Jesse Strang*, my place of birth and parentage, and gave to him, as a reason for leaving my wife about two years before, and going to the state of Ohio, and changing my name, was, that I had suspicion of my wife's fidelity to my bed, which last circumstance I do now most solemnly declare was false, and that I never had any reason to suspect her chastity. Mr. Yates having declined to act as my

90. Yates decides not to act as Jesse's lawyer, so he employs Calvin Pepper. He confesses everything to Pepper and tells him where the gun is buried because he is afraid it will be found. Jesse's father and step-mother come to visit him in jail. Jesse tells them he is innocent. They hire another lawyer, Thomas J. Oakley, to help with Jesse's defense.

91. On the second Tuesday in June, (June 12) the Grand Jury met and indicted Jesse and Elsie. On Thursday they come and tell Jesse the evidence is strong against him and that Elsie herself has testified enough to convict him. This upset Jesse badly. On Thursday he called in the jailer, confessed to him and told him Elsie was behind it all.

92. Friday Calvin Pepper, the jailer, and the Coroner came to see Jesse. He told Pepper he thought he should confess, and told them where the rifle, arsenic, socks, and glass were. They leave to find the items. The jailer returns and says they found the rifle and arsenic...



90. counsel, I soon after employed Calvin Pepper, Esq., as one of my counsel and to him I early made a full confession of my guilt, and urgently requested him to go to the ravine, and remove the Rifle, as I was apprehensive that it might be found, or become exposed on the surface of the ground, by cattle walking over it. About this time my revered father and step-mother visited me, to whom I denied my guilt, and requested them, to employ additional counsel to aid in my defence on the trial. They both stated, that no money should be wanting to enable me to defend myself, if I was innocent, as I had represented to them; and it was then concluded that my father should endeavor to obtain the assistance of the Honorable Thomas J. Oakley, Esquire, of Poughkeepsie. In a short time after Mr. Pepper informed me that he had received a letter from Mr. Oakley, and that he had consented to aid in my defence.

91. Thus, things remained until the meeting of the Grand Jury, at the Albany General Sessions, on the second Tuesday in June, and having been visited by them in a body, and by several of them individually, and having also been informed, that they had found a bill against me, that the proof of my guilt was manifest, and that Mrs. Whipple herself had testified enough against me to convict me, and feeling conscious of my own guilt, and much reduced in bodily strength and mind; in the fore part of the evening of Thursday, I felt as though my body would burst. About ten o'clock, I sent for Mr. Becker, the gaoler, and informed him, of the state of my feelings, and confessed to him that I was guilty, *and that Mrs. Whipple was the foundation of the whole of it.* I then informed him as nearly as I could, where I had concealed the Rifle, arsenic, socks, and where the glass, and balls with which I had tried the ex-

92. periment, could be found. He called again to see me, early on Friday morning, and informed me, that he had been down during the night, and made search for the Rifle, but could not find it. I then told him, that perhaps it had been removed by Mr. Pepper, and requested that he might be sent for. About 8 o'clock, Mr. Pepper, Mr. Becker, and the Coroner, (Mr. Pemberton,) came into my room, and I told Mr. Pepper, in their presence, that I had thought it my duty to confess my crime, and requested him to go with the gaoler and coroner, and get the Rifle, arsenic, socks and glass. They withdrew, and in about one hour, Mr. Becker returned and informed me that he had found the Rifle and arsenic, but was unable

92 cont'd

but not the socks. The police take Jesse to Cherry Hill, where he shows them the broken glass and the tree where his practice bullets hit. He tried to locate the socks but could not.

93. That evening Elsie was put in jail. Her cell was two cells away from Jesse. Several times before the trial she came to his cell where he was chained, and talked to him under the door. She told him if he had kept quiet they could have gotten away with it.

94. Jesse admits he was anxious to make sure Elsie was implicated, and he tried to forge some of the letters she had written to him. So he made a copy of a letter he had written to her and asked Calvin Pepper to hide it at Cherry Hill. Jesse would then tell the District Attorney to search there.

to find the socks, and between ten and eleven o'clock, I was conducted by the police constables to Cherry Hill, and in presence of a large number of people, went into the woods, and shewed them the fragments of glass lying by the stump, and in my presence the three balls were cut out of the pine tree. I went from this place to the ravine, where the Rifle had been found, and from thence to the deep ravine, in the field, as near as I could possibly recollect where I had concealed the socks; I continued there for some time, while several persons were making search to find them, and on my being taken away, it was stated that a more thorough search would be made; and I much regret that the socks have
93. not as yet, to my knowledge, been discovered. On the evening of the same day, Mrs. Whipple was committed to gaol, and lodged in a room in the same story with myself, two rooms intervening between us. And before my trial, she several times came to my room, in which I was chained to the floor, and talked with me, by laying down at the bottom of my door. She generally reprimanded me for making a confession, and said if I had held my tongue, both could have got clear. She was enabled to do this by persuading the gaoler, occasionally, to let her door stand open, for the purpose of admitting a free circulation of air, on particularly warm days—there being an open hall from her door to mine, although there were two substantial doors to be be broken open before we could either make our escape, if in the hall.

94. For some time afterward, I felt very anxious that her guilt should be made as manifest as my own; and do freely and candidly admit, that I falsely stated to the District Attorney, that I should be able to produce one or more of her *original letters;* and for that purpose, having pen, ink, and paper in the room, did, for some length of time, endeavour to imitate her hand writing, but at the same time to write nothing more than what she had in fact written in some of her letters to me, which I had destroyed: and finding that I could not accomplish this act of imitating her hand, and which I afterwards frankly told the District Attorney, I then made a copy of the letter, I wrote to her on the evening of the 4th of May, and desired Mr. Pepper to take the same and throw it into the vault of the back-house, at Cherry Hill; and that I would request the District Attorney to cause the vault to be search-

95 The next day the D.A. and Calvin Pepper came to see Jesse and the D.A. told Jesse he should not think of testifying against Elsie, because the D.A. knew Jesse was guilty, and ought to die. Jesse then decided to stand trial and have his confession rejected. Jesse says he was anxious to implicate Elsie, hoping that if she were convicted, her powerful friends might get the Governor to commute their sentences.

96. He says he's glad she was acquitted and hopes she will devote the rest of her life to making up for her wrong-doing.

97. He professes his belief in God...

ed, where that letter would be found, and he supposed to have been flung there by Mrs. Whipple. Mr. P. took the same without any remarks.

95. On the next day, the District attorney and Mr. Pepper came into my room, and the District Attorney, in an earnest, solemn, and emphatic manner, told me that I must not think of testifying against Mrs. Whipple, with the least hope or expectation of ever being pardoned, or receiving any favor whatever; that he, the District Attorney, knew I was guilty, that I must be convicted, and that I ought to die, and that he would be the last person to recommend me to any mercy whatever. I soon after concluded to stand trial and to have, if possible, my confessions rejected.— But here I acknowledge that my zeal for the conviction of Mrs. Whipple, at that time, was in the hopes, that if she should be convicted with me, the powerful influence of her friends and my own, might induce the Governor to commute our punishments; and that I as well as she, might escape a public execution. And I do now solemnly state, and declare, that I heartily rejoice that the court excluded me from being called upon the stand, as a witness against Mrs. Whipple, fearing that I might, in consequence of my great zeal, have testified too strongly against her; and again have added to my other enormous sins the crime of perjury, [although I did not so intend to do.]

96. And for the love I once entertained for her, I do rejoice that she has been acquitted. And I do most fervently pray, that she will devote the remainder of her life, to sincere contrition and repentance, and that she may, above all things, enjoy everlasting peace, consolation and happiness in heaven. And where, relying solely on the atonement and sacrifice of a bleeding Saviour, I pray the God of all grace, in his abundant mercy, to admit my poor soul, and that it may not be doomed to everlasting torments; which I now most sincerely believe will, and ought to be, the fate of the finally impenitent.

97. And I do most humbly confess, that, for twelve years past, and until the time of my confession, I believed there was a God and Saviour: yet that God had decreed and directed all things; and that he would not punish any of his creatures (no matter what sins they may have committed here,) in the world of spirits.

98. and quotes a poem from one of the newspapers.

And now I bid a solemn farewell to Mrs. Whipple, my accomplice in crime, in the pathetic and admonitory language of the poet, as communicated in the "Boston Spectator and Ladies Album."

JESSE STRANG.

"TO MRS. WHIPPLE.

Thou art a lost one—weep, aye weep,
  For none should weep for thee;
Thy sleep will be a fitful sleep,
  One of deep agony.
And when thou wakest, thou wilt wake
  To horrors which the guilty shake.

Crime—black, unhallowed, uncaused crime,
  Stamps with its guilt thy brow;
The lava, from the mount of Time,
  Scathes in its course, thee now.
Wake beauteous one and strive to be,
Worthy thine angel symmetry.

Go—shed thy tears upon that grave,
  Which on thy husband presses,
Reflect upon that love he gave,
  Then tear thy raven tresses.
Kneel then! pray to ONE who died,
To save thy soul of passioned pride,

Repentance may in after years
  Redeem thy soul from sin;
An ocean of a sinner's tears
  Must wash thee pure again.
Haste, guilty one, to that bright stream
Lit up by heaven's redeeming gleam."

ERRATA. In page 21, for 16th of May, in the sixteenth line from the top, read *sixth* of May.

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SUMMARY OF JESSE STRANG'S TRIAL

From The Albany Argus & Daily City Gazette, August 4, 1827

Court of Albany Oyer and Terminer

Presiding: Honorable W. A. Duer (Judge), the Mayor and Recorder, and Aldermen Treat and Esleeck.

Thursday, July 26, 1827

The People
vs
Jesse Strang alias Joseph Orton } MURDER

Counsel for prosecution: Edward Livingston, district attorney; Samuel A. Foot
Counsel for defense: Thomas Oakley and Calvin Pepper

Court opened at 9 o'clock. Held in the assembly chamber. Seating arrangement: an elevated and carpeted temporary Bench was in the center of the room in front of Speaker's chair; seats and tables for the counsel formed a semicircle in front of the Bench; reporters were seated to the right of the Bench; still farther right were the witnesses. Spectators crowded all other parts of the chamber, lobby and gallery.

Strang brought in at 9:30 and placed at the bar. Mrs. Whipple also in court, seated in rear and dressed in mourning.

Drawing of jury. Question of prejudice or bias arose. Nine of the jurors excluded for being biased, two were challenged.

Following jurors sworn:

Moses Goodrich, of the city of Albany, cordwainer
Andrew Snyder, of the town of Rensselaerville, farmer
Abiel Sherman, of the town of Bern, farmer
John B. Crounse, of the town of Bethlehem, farmer
Peleg Chesebrough, of the town of Knox, farmer
Andrew Simmons, of the town of Coeymans, farmer
William Viscent, of the town of Bern, farmer
William W. Gardner, of the town of Westerlo, farmer
Jacob F. Sternberg, of the city of Albany, merchant
John Pierre 2nd, of the town of Bern, farmer
Daniel Allen, of the town of Bethlehem, farmer
John Carr, of the town of Coeymans, farmer

JUDGE DUER. Tells jury that the prisoner (Strang) has been indicted by the grand inquest of the county of Albany. The prisoner has been arraigned and pleaded not guilty. The duty of the jury is to take note of the evidence.

MR. LIVINGSTON. (district attorney) The case has caused a tremendous interest in the community. He will try to give prisoner a fair and impartial trial. The prisoner stands charged with murder, an unlawful premeditated killing. The probable motive for the crime was the criminal relationship between Jesse Strang and Elsie Whipple.

ABRAHAM L. VAN RENSSELAER. He is son of late Philip P. Van Rensselaer who lived at Cherry Hill. Witness still resides with his mother, Catharine Van Rensselaer, at Cherry Hill. On evening of May 7 between 9 and 10 o'clock he was with John Whipple in his room. Both were seated at a table, about seven or eight feet from a window on the west side of the room. Mr. Whipple was arranging some accounts and sat on the west side of the table (window was behind him). Witness sat on east side of table. Witness saw a person's face in the window; person had on a black hat and something shining in his hands. Witness sprang from his chair and heard report of a gun. He saw Whipple rise from his chair, and exclaim, "Oh Lord!" Whipple followed him out of the room and fell on second step of stairs. He died almost immediately. The shot came through the north pane of the window. The murderer must have stood on a shed attached to the house in the rear. Witness did not recognize person as Strang although he noticed it was a white man.

Jesse Strang was hired by his father to work at their farm on August 28. He said his name was Joseph Orton and that he was unmarried. Shortly before May 7 Strang said he saw prowlers around the house; said they were after Whipple. Strang told this story to him several times. On April 14 Strang said he was going to Troy. He was gone all night and returned the next day. Witness cannot say that Mrs. Whipple was from home that night. About two weeks before May 7, Strang priced some rifles at Edward Fay's and another store in Albany; said he wanted to buy a rifle and boasted he was a good marksman. On May 7 saw Strang with some soft lead in his hands. Strang went to town on the evening of May 7 at about sun-down. About 15 or 20 minutes after the murder, saw Strang at the foot of the stairs near Whipple's body. When Strang approached Whipple, he turned white as a ghost and Abraham immediately suspected him. The family owned an excellent watchdog which wouldn't permit strangers to approach the house. Shortly after the murder, witness saw dog on kitchen stoop; would not move when called.

Cross-examined. On evening of May 7 he asked Strang to purchase some oil of spike for him in town. Witness saw the oil in the kitchen the next morning. When Abraham was examined at the coroner's inquest he didn't mention his suspicions about Strang.

Witness was asked by the prosecution whether Strang had confessed to him. Mr. Oakley, the defense counsel, objected.

MR. OAKLEY. (defense counsel) Questioned whether any admissions or confessions Strang might have made were voluntary. If Strang's confessions weren't voluntary, then they couldn't be used as evidence. Prosecution decided not to continue their questioning about this matter.

DR. JOEL A. WING. He examined wound of deceased and extracted ball. The ball was unusually small. Witness had heard prisoner say that Whipple must have been shot by some canal man with whom he had had some difficulty. Strang said he had seen prowlers around the house.

DINAH JACKSON. (black woman, age about 50, servant to Mrs. Van Rensselaer) She was in the kitchen on the night of May 7; heard a gun fired. She called dog and tried to send him after person who fired. He refused to stir. Dog usually never permits strangers to come near the house. Witness heard Strang mention people lurking around the house. Heard Whipple and Strang talk about shooting them. Strang asked her to poison Whipple but she refused. Witness had forgotten about the incident. Mrs. Whipple and Strang were both away from home on the same day. They returned the next morning separately.

THOMAS L. PEMBERTON. He was the coroner who held an inquest on the body of the deceased. Murderer must have stood on the shed on the west side of the house and fired through the window. Witness observed the tracks of bare or stocking feet on the shed, the box against the shed and on the ground. He observed that the tracks led north then west to a woods about 150-200 yards from the house. Strang was a member of the coroner's inquest but he behaved suspiciously. He didn't wish to see the extracted ball, was too anxious to blame others and didn't come near the body. Strang mentioned that he had told Whipple that people were after him. The distance from Delaware Turnpike to South Pearl Street to Cherry Hill and the woods near the house was 220 rods. Witness was with John Becker, the gaoler (jailer), when a rifle was found in the woods near where a person had slipped. It was found half buried in a ravine. He identified the rifle in court.

EDWARD FAY. He is a gunsmith who lives on Beaver Street. Saw Strang in jail and recognized him as the person to whom he had sold a rifle on May. 3. Person gave him a twenty dollar bill of the Phoenix Bank, of Hartford. When the ball was shown to him, he said it would fit the rifle.

Cross-examined. Not positive that Strang was the person to whom he sold the rifle. Is certain that the rifle shown in court is the one he sold.

Examined again by prosecution. The person to whom he sold the rifle had on a surtout coat (a long overcoat). When he saw Strang in a surtout coat in jail, he could identify him as the person to whom he sold the rifle. Without the coat, he didn't recognize him.

STARR FOOT. He is the barkeeper at Fobes' Columbian Hotel. On May 3 he gave a twenty dollar bill, of Phoenix Bank of Hartford, to Mrs. Whipple. Cannot identify the bill.

PHILANDER FOBES. (keeper of Columbian Hotel) On May 3 he gave a twenty dollar bill, of Hartford Phoenix Bank, to Starr Foot to deliver to Mrs. Whipple. Cannot identify bill but is sure he had but one bill like it.

JOHN BECKER. (gaoler of county prison) He was with Mr. Pemberton when rifle was found in a ravine on June 16. One June 15 the prisoner described where the rifle could be found. It could not have been found without this information. Prisoner also told him where he would find some poison. He found a powder, said to be arsenic, in a back-house where prisoner told him it would be. He gave powder to the police magistrate.

JOHN O. COLE. (police magistrate) He received a paper containing powder which was said to be arsenic, from Mr. Becker, which he gave to the district attorney.

EDWARD LIVINGSTON. (district attorney) He showed the powder, said he received it from Mr. Cole, and it has not since been out of his possession.

DR. SAMUEL S. TREAT. He couldn't identify powder from its appearance.

WILLIAM WILSON. He was a hired man who lived at Cherry Hill. Strang told him that the window in the Whipple's room was a fine place to shoot into. After the murder, witness asked Strang if he remembered his foolish remark and he replied yes.

Cross-examined. The conversation which he described occurred on the second morning after the murder. Previous to Strang's remark, witness had heard about prowlers around the house.

SPENCER STAFFORD. About May 4 he received a twenty dollar bill, from the Hartford Phoenix Bank, from Edward Fay. He later paid this bill to Dr. Townsend.

DR. CHARLES D. TOWNSEND. Identified the bill from the Hartford Phoenix Bank which he received from Spencer Stafford.

FRANCES HILL. She is the wife of James Hill, who keeps a tavern on the turnpike road between Schenectady and Troy, 2 1/2 miles west of Niskeuna (Niskayuna) road. Last April a man and woman stayed overnight at their tavern. They arrived in a one horse wagon; it was raining. (Prisoner stared at witness on the stand who became frightened.) Witness has no doubt that Strang was the same man and Mrs. Whipple was the same woman. They slept in the same room; only one bed was occupied. Prisoner had on same clothes that he now wears.

Cross-examined. She had never seen Strang or Mrs. Whipple before they stayed at the house.

NANCY MONTGOMERY. She resides at Mr. Hill's house. Thought prisoner was the same person who came to the house. She thinks Mrs. Whipple was the woman with him. There was a thunderstorm that day. The couple said they were man and wife. Prisoner was dressed as he is now. They looked very young and very fond of each other. She thought it was strange they were going to New-York without baggage and he had no great coat. Thinks they came in a green box wagon.

CHARLES CONKLIN. He keeps a livery stable in Albany. Last April prisoner hired a one horse wagon from him with black wheels and fills and a green body. Prisoner said he was going to Troy. When he came to take the horse and wagon, was dressed as he is now. Witness has no doubt it is the same person. Prisoner said he lived with Mr. Whipple and his name was Orton or Norton. It rained that day.

JAMES HILL. He recognized Strang as the same person who came to his house in April during a thundeshower. His clothes and that of the woman with him did not correspond. She had on a fine riding dress; his pantaloons were rather coarse. Prisoner said their child was sick and they had left without baggage and he without a great coat.

MARIA VAN RENSSELAER. She resides at Cherry Hill and is a daughter of the late Philip P. Van Rensselaer. Knows Mrs. Whipple has a riding habit of a lilac color similar to what she now wears. Remembers a thundershower in mid April. Mrs. Whipple was away from home on the night of that day. She said she was going to Fobes' (Columbian Hotel). She returned the next day. Prisoner was away from home the same night. Remembers a conversation in the kitchen before the murder when Strang said to Mrs. Whipple and others, that if he shot the prowlers, and it turned out to be Mr. Whipple, "Would they stand the law for me, or between the law and me?"

JOHN S. VAN RENSSELAER. (a judge) Testified he assisted as a magistrate in examining the prisoner on May 11. Strang denied everything and said he was innocent. Also went to see the prisoner on Sunday (May 13).

MR. OAKLEY. (defense counsel) He asked the court for permission to examine the above witness about what inducements (incentives) were given to Strang to try to make him confess. John Van Rensselaer then testified that the prisoner was examined for about three hours. The mayor, recorder, police magistrate and himself were present. Strang denied everything. To draw the truth from him, they assumed a knowledge of facts which they didn't know. Strang was told that they knew everything; that Mrs. Whipple had told them all the circumstances.

JAMES M'KOWN. (the recorder) The examination lasted a long time and Strang was hard-pressed. No threats or promises were made to induce (persuade) the prisoner to confess.

JOHN O. COLE. (police magistrate) Said Judge Van Rensselaer told the prisoner that Mrs. Whipple had confessed. There were no threats or promises made to the prisoner. On May 8 Strang was one of the witnesses at the murder inquiry. On May 10 he cautioned Strang against saying anything to incriminate himself (Strang had been arrested on May 9) unless he wanted to voluntarily confess. Prisoner was examined again on May 11; Judge Van Rensselaer attended.

SAMUEL S. LUSH. He was present when Judge Van Rensselaer visited the prisoner on Sunday. The Judge told Strang that there was evidence of his guilt and he would be convicted.

JOHN W. CUSHMAN. He was present at the interview. The Judge had told Strang he had better confess as it had all come out.

JUDGE JOHN S. VAN RENSSELAER. Stated that Mr. Becker, the gaoler, had made the above remark. Witness had stated that it was immaterial whether he confessed or not as there was enough to convict him.

JOHN BECKER. (gaoler) Stated he was also present at above interview. Judge Van Rensselaer told Strang that he was a tiger in human shape, and he had better confess. Witness went to see the prisoner on the evening of June 15 and the morning of the 16th. He spoke with him alone both times. The rifle was found on June 16 as a result of these conversations. Strang had requested their meetings. Witness had held out no inducements to Strang in order to make him confess.

Cross-examined. Thinks he told Strang that he had done a wise thing to confess; it was what he owed himself and it was his duty to his Maker, though there was enough proof to convict him. On the same day that Strang confessed to him (June 15) the whole Grand Jury visited the prisoner at the suggestion of the witness.

ANDREW RUSSELL. He is a member of the Grand Jury who found a bill of indictment against Strang. The whole Grand Jury visited Strang in prison afterwards. Strang was examined on oath as a witness against Mrs. Whipple. Witness visited Strang alone after this. Visited Strang a third time as one of six Grand Jurors. Strang was told if he was guilty he had better confess.

REV. WILLIAM B. LACEY. (rector of St. Peter's Church, Albany) He visited Strang in jail before he was indicted. Told him it would be better for his future spiritual state, if he confessed.

ABEL FRENCH. (Grand Jury foreman) The Grand Jury repeatedly cautioned Strang not to incriminate himself during the examination.

STEPHEN VAN RENSSELAER. (Grand Jury member) He was one of six Grand Jurors who visited Strang in jail. He didn't hear anyone tell the prisoner he was guilty or that he had better confess.

ANDREW RUSSELL. He didn't mean to say that the conversation he testified about took place when the six Grand Jurors visited.

DISTRICT ATTORNEY. (Edward Livingston) Called John Becker to examine him as to the confessions Strang made to him on June 15 and 16.

MR. OAKLEY. (defense counsel) Objected. Said Strang's confessions were not voluntary. There had been strong influences used on the prisoner that were more powerful than any threat or promise.

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MR. FOOT. (counsel for the prosection) Said the question was whether the confessions were a result of inducements or whether they arose from a sense of guilt. No evidence that inducements were made by threats or promises. Argued that confession was voluntary.

Court took a recess at 11:30 at night
without deciding the question

Friday, July 27

JOHN O. COLE and **WELCOME ESLEECK** both testified that Strang was told his confessions must be voluntary and he could not expect any favors because of anything he said.

JUDGE DUER. Stated the opinion of the court: Strang's confessions could be admitted as evidence in court.

He said that to exclude confessions they must be proven to be a direct result of inducements that were made. In this case Strang's confessions came long after the inducements so were not a result of those inducements. Strang had also been cautioned not to incriminate himself.

JOHN BECKER could then be called to testify. Stated that on the evening of June 15, Strang said he was so full that he must confess or burst. Strang said he purchased a rifle for the purpose of shooting Mr. Whipple. He had planned this for about six months. Stated he went to town just before he committed the murder to keep people from suspecting him. He made some purchases then immediately returned home and shot Whipple. He put a box against the back shed which he had to climb onto to reach Whipple's window. Strang took aim and shot; heard Whipple exclaim, "Oh Lord!" He then jumped off the shed, almost breaking his neck. Prisoner then went towards Whitehall Road and then South Pearl Street where he fell in with a crowd going to Cherry Hill. He further stated that he had bought arsenic to poison Whipple. Said that Mrs. Whipple was at the bottom of the whole of it. Stated he bought the rifle with money borrowed from Mrs. Whipple.

JOHN W. WILLIAMS. He asked Strang why he took so long to make the confessions. Strang said he had kept it back, hoping Mrs. Whipple might say something. But when she didn't, he couldn't refrain from telling the facts.

JOSIAH SHERMAN. Testified that on June 19th he went to the prison and found Strang with a bible in his hand and in tears. Prisoner was upset that he had confessed his guilt. Strang said his confession was due to extreme weakness produced by imprisonment and loss of appetite.

> Counsel for the prosection stopped the witness. Strang's defense counsel did not ask witness to continue.

The **DISTRICT ATTORNEY** rested the case for the prosecution.

The Court called on **MR. OAKLEY** for the defense of the prisoner. He said they had nothing to say. **MR. PEPPER** added that they had done everything which was their duty to do.

JUDGE DUER then gave the case to the jury. He explained what would be necessary to convict someone of the crime of murder: it must be premeditated. He also reviewed the trail testimony from beginning to end. The circumstantial testimony was reviewed first, and separately, from the prisoner's confession. The circumstantial testimony confirmed the truth of the confession; the confession agreed with the circumstantial testimony. The charge was strongly against the prisoner.

The **JURY** retired at 11:15 a.m.

After an absence of 20 minutes, they returned with a verdict of GUILTY.

SUMMARY OF ELSIE WHIPPLE'S TRIAL

From The Albany Argus & Daily City Gazette, August 6, 1827

Court of Albany Oyer and Terminer

Presiding: Honorable W. A. Duer (Judge), their honours the Mayor and Recorder, and Aldermen Treat and Esleeck.

July 30, 1827

The People
vs
Elsie D. Whipple } MURDER - ACCESSORY BEFORE THE FACT

Counsel for prosecution: Edward Livingston, district attorney; Samuel A. Foot.
Counsel for defense: Abraham Van Vechten; Mr. Williams; Mr. Tabor.

Court opened in the assembly chamber, at 10 a.m. All the avenues to the capitol were thronged; and the chamber, lobby and gallery were more crowded than during Strang's trial.

The prisoner was placed in her former seat among the witnesses. She wore the same mourning clothes and veil as at Strang's trial. Strang was also in court as a witness, accompanied by his father. His appearance was more subdued than at his trial; he watched everything closely.

At about one o'clock, Mrs. Whipple was placed at the bar. She was led there by a friend; was upset and wept aloud. When her veil was removed, her face was fair and well-formed although inflamed from weeping. She held a handkerchief to her face and became so upset the court allowed her to sit down and replace her veil.

The jurors were then called and at least five were set aside because of bias. A jury was finally formed which consisted of:

Henry Cornelius, of Knox, farmer
Nathan Elliott, Westerlo, farmer
John B. Crounse, Bethlehem, farmer
Henry Vine, Guilderland, farmer
Henry Ketchum, Knox, farmer
John Reid, Bethlehem, farmer
William W. Gardner, Westerlo, farmer
Wilhelmus Winne, Bethlehem, farmer
Philip Angle, Bern, farmer

Alexander Schoonmaker, Knox, farmer
John Geddes, Waterford, farmer
Philip Crounse, jr, Guilderland, farmer

Tuesday, July 31, 1827

The Court opened at 9 o'clock. Prisoner placed at the bar. Her dress and appearance were same as on previous day. Strang was in court intently watching the proceedings. The prisoner pleaded not guilty.

DISTRICT ATTORNEY LIVINGSTON. Stated Mrs. Whipple was charged with one of the most atrocious crimes of which human nature is capable. She stands indicted for aiding and abetting in the murder of her husband, whom she was bound to love, honor and cherish.

Although she is from a highly respected family and is the owner of a fortune, she should be tried just like the humblest citizen.

Her wealth enables her to hire an excellent attorney who will do all he can to get her acquitted. The prosecution will rely on the evidence from the trial testimony alone to prove her guilt. Besides the talent, ability and experience of her counsel, the prisoner can feel secure because the judge is knowledgeable and impartial.

Circumstantial evidence must be relied upon to fix the crime upon Mrs. Whipple. In addition, Strang will be called as a witness against the prisoner and will show her full participation in the crime. Although not as much faith can be put in his testimony compared to that of other witnesses, he still should be considered a disinterested witness. He can have no motive for not telling the truth since he cannot expect a pardon for his crime.

In criminal cases, the testimony of an accomplice is frequently used to convict his associate. We will show a case where the testimony of a principal after his conviction was used as evidence and led to the conviction of three accessories.

If the prisoner can contradict or explain the testimony that indicates her guilt, or if she can produce in your minds a reasonable doubt of her guilt, then acquit her. If you think she is guilty, it is your duty to convict her.

ABRAHAM L. VAN RENSSELAER. Witness was about to be questioned when Mr. Van Vechten (defense counsel) objected. He said that the law requires that the conviction of the principal (Jesse Strang) should be shown before the accessory is put on trial unless the accessory consents to be tried at the same time as the principal. The prosecution said it was not necessary in this stage of the trial to produce evidence of the conviction of the principal.

JUDGE DUER. The conviction of the accessory (Mrs. Whipple) depends upon the proof of the conviction and guilt of the principal (Strang). Before the trial can continue, the fact of the conviction must be shown.

DISTRICT ATTORNEY. (Edward Livingston) Filed a record of the conviction of Strang. The defense counsel said this wasn't enough; the judgement against Strang should be stated. Prosecution argued that it was only necessary to show a conviction.

JUDGE DUER. Gave the opinion of the court: the record was enough to show the conviction and that the law allows the trial of accessories in all cases after the conviction of the principal even though there may not be a judgement.

ABRAHAM L. VAN RENSSELAER. Mr. and Mrs. Whipple were boarders at his mother's. On the evening of the murder he was in the Whipple's room at Cherry Hill. Mrs. Whipple was in the room on the evening of her husband's death. Witness cannot say what she said or did while in the room, or how long before his death she left the room. Miss Patrick and his sister Maria were also in the room on that evening. Strang had spoken about prowlers around the house. Heard him tell Mrs. Whipple that they were after her husband. Doesn't remember what she answered. A few days before the murder, witness heard her say she meant to write a letter to her husband telling him not to come home for fear he would be killed by prowlers. On the day of the murder, Mrs. Whipple asked witness for a pencil and paper and he gave her a pencil.

Witness was then given an affidavit to read which he had made at the time Mrs. Whipple was arrested, in order to refresh his memory. Defense counsel objected to his reading it. The court ruled that the witness shouldn't examine the affidavit.

Witness continued. Said he believes the prisoner wrote something. Strang and almost all the family were in the kitchen while she was writing. Afterwards first Strang, then Mrs. Whipple left the kitchen. Witness saw Strang in the yard tearing up a piece of paper, couldn't tell what kind of paper it was.

Mrs. Whipple asked witness if he, Strang and the family had been examined as witnesses. She said she felt so bad she could take a knife and stab herself. Prisoner asked him if Strang's trunk had been examined, and if $500 was found which Strang had said he had. While witness' mother was being examined by the police magistrate, Mrs. Whipple fainted and said "Orton! Orton! My John! My John!" Sometime before she fainted, she had been told that Orton had been examined and taken to jail.

JOHN O. COLE. Testified that Strang was arrested on May 9th, between 2 and 3 p.m. Immediately after witness examined Abraham Van Rensselaer and his mother, Catharine Van Rensselaer, as witnesses. Mrs. Whipple fainted during the examination of Mrs. Van Rensselaer.

Cross-examined. Strang was examined on May 8th concerning prowlers around the house; he was then suspected. He was arrested on May 9th before the other witnesses at Cherry Hill were examined. They knew he had been arrested as the murderer. Strang's trunks were examined that afternoon.

JOHN S. VAN RENSSELAER. Witness was present at the May 9th examination. He requested that some ladies attend to Mrs. Whipple. Strang's trunks were broken open and examined.

MARIA VAN RENSSELAER. She was present when prisoner fainted on May 9th. Called for her mother to come help but her mother didn't come. Prisoner was in the kitchen when she fainted, taken to southwest back room.

Cross-examined. Mrs. Whipple was deranged on May 9th and 10th. She is sometimes subject to hysterics. For a week before the murder, Mrs. Whipple was sometimes irrational. She was flighty, said she had not only lost her father and mother, her grandfather and grandmother, but now her husband. Prisoner is 25 years old; married when she was 14. Her parents are dead; her father had died when she was an infant.

Examined again. Mrs. Whipple asked Abraham what cross-questioning meant. She said she was going to die tonight and be buried with her husband. Mrs. Whipple asked what had delayed Orton to make him late for supper.

Wednesday, August 1

MARIA VAN RENSSELAER called again by the district attorney. Asked about other expressions she had heard from the prisoner. Witness remembers "tell me something I know, that I may know what cross-questioning means." Witness thought her manner and questions were flighty on May 9. When Mrs. Whipple came out of the room where her husband's body lay, said she had lost her best and only friend as well as the rest of her family and she would not live to see her son grow up. Witness cannot say whether Mrs. Whipple knew Mr. Cole was in the house when she fainted or that the constables were after Strang. On May 10, the day of the funeral, Mrs. Whipple spoke of having the grave dug wide enough for her and her husband. She thought prisoner was subject to nervous affections; she was always so and her mother too. Prisoner is a weakly, sickly person, complaining more than she really was sick; is easily discouraged; and has highs and lows of spirit. Witness, her little sister, and Dinah, the black woman, were present when prisoner fainted. Mrs. Whipple was sitting near the fire and was either smoking or going to light her pipe. It was necessary to pass through the kitchen to go into the bedroom to get Strang's coat. Abraham had come for Strang's coat. Can't tell whether Mrs. Whipple fainted before or after the trunk was sent for. Remembers conversation about whether or not $500 found.

In mid April Strang said he was going to Troy. He was absent all day and returned next morning. On the day that Strang was absent, prisoner left home for the city and was absent until next day about noon. Said she was going to have a dress cut and was going to Mr. Fobes'; would wait until next day to have the dress cut, if necessary. Witness remembers thundershower in the night.

CHARLES CONKLIN. Strang told him he wished to hire a horse and gig. Told him he would prefer a gig rather than a wagon as he expected to have a lady with him. Came the next day and took a wagon since a gig wasn't available. He returned next morning between 7 and 8:00.

GITTY SANFORD. Has known prisoner since she was a little girl. Lives at corner of Patroon and Pearl Streets. Mrs. Whipple was at her house in mid April, remained half an hour, then went away in a green one horse wagon. There was a man in the wagon. Next morning Mrs. Whipple called at her house, said she had been to Troy with Mr. Whipple's brother. When she came the day before, she was greatly troubled and said, "I don't want to go, but if I don't go the Devil will kill me." Asked witness to keep her trip a secret. Mrs. Whipple had on a plum color riding habit.

FRANCES HILL. Prisoner and Strang were at her house in mid April at the time of a thundershower. Mrs. Whipple said Strang was her husband. She said they came from Schenectady, were going to Albany, then New York. Both she and Strang had on grey clothing.

NANCY MONTGOMERY. Has no doubt Mrs. Whipple was same person who was with Strang at Mr. Hill's, where she lives with her aunt. She thought at first they were brother and sister. Prisoner said they came from Schenectady, would have started the day before but one of her children was sick. They were going to Albany, then New York. Said they sent their baggage by canal or stage. They stayed at Hill's as man and wife. Thinks their wagon was green.

CATHARINE BARRINGER. Resided at Hill's tavern on April 14th. Slept in room next to prisoner's; to get out had to pass through her room. Did not see her in bed with Strang, but knows two persons were in the same bed, as only one bed was used.

ELEANOR BECKER. She is the 13 year old daughter of the gaoler (jailer). She lives with her father. Has slept in the same bed as the prisoner every night since her imprisonment. Mrs. Whipple and Strang were confined on the same story of the jail. Witness has carried no notes or papers from the prisoner to Strang. Mrs. Whipple has received papers from Strang two or three times since her confinement. Heard prisoner say she was going to Strang's door; she went and came back with papers. Once Mrs. Whipple went to Strang's door, which was locked, and spoke with him under the bottom of the door. Mrs. Whipple told her not to look or she would be called as a witness.

HENRY SCHOONMAKER. (turnkey at the gaol) Two rooms were between the prisoner's and Strang's rooms. Mrs. Whipple was imprisoned on June 15 the same day the rifle was found. Her room was left open about July 4th so she could have air; was closed at night. This continued for a week. She was confined to her room after she spoke with Strang. Witness never heard prisoner and Strang talk together. Strang was chained in his room. There is an opening of 1 1/2 inches at the bottom of the door so he could bring his face near the opening. Strang had pen, ink and paper as well as the National Observer in his room. Witness saw paper in Mrs. Whipple's room with certain lines on it. He asked to see the lines but she refused. Witness told her he had seen those same lines in the National Observer in Strang's room. Mrs. Whipple said she knew that Strang didn't know enough to write such lines himself.

PHILANDER FOBES. Identified a twenty dollar bill of the Hartford Phoenix bank which he gave to his barkeeper to hand to Mrs. Whipple.

JOHN O. COLE. Mrs. Whipple gave a sworn deposition to him on May 22. It was offered in evidence.

MR. WILLIAMS and **MR. VAN VECTEN** (defense) objected. Stated that it should not be read. When it was taken, Mrs. Whipple was not told she was charged with a crime nor cautioned against incriminating herself. **MR. FOOT** (prosecution) said the prisoner had had the right not to answer. Since she didn't object to the examination, it could be used as evidence against her.

COURT ruled the deposition couldn't be used because Mrs. Whipple wasn't told she was being accused of anything.

PHILANDER FOBES called again. On the day after the funeral, Mrs. Whipple told him that Strang had asked her to lend him sixteen dollars. Instead, she gave him the twenty dollars she had received from the witness. Strang gave her four dollars back. Later, instead of repaying her the sixteen dollars, he only gave her six dollars. She said she didn't know what he wanted the money for.

EDWARD FAY. Said he sold a rifle to Strang on May 3. Strang gave him a twenty dollar bill from the Hartford Phoenix Bank as payment for the rifle. He identified the rifle which was shown to him in court.

SPENCER STAFFORD and DR. **CHARLES TOWNSEND** identified the bill as the same one that Philander Fobes gave to his barkeeper to hand to Mrs. Whipple. **JOHN BECKER** (the gaoler) proved the rifle was the same one found on June 15 through information provided by Strang.

ABRAHAM VAN RENSSELAER. On May 9th he got Strang's coat from the cellar kitchen. Strang was familiarly called "doctor," and was often sent to town to sell wood. Witness also has an uncle who is a doctor by profession.

MARY HUSTED. Said prisoner was at her store last winter. She bought some articles then waited for a sleigh. Mrs. Whipple said she wished the "doctor" would come and that as soon as the man sold the wood they were going home.

HENRIETTA PATRICK. She was at Cherry Hill on May 7th; is the niece of the deceased. Her uncle was often away from home. When he was away she slept with Mrs. Whipple. Strang made a fire in the morning (in the Whipple's room) and sat there in the evening; doesn't remember her uncle being displeased about this. Doesn't know of any intimacy between Strang and Mrs. Whipple. Witness found a paper under Mrs. Whipple's pillow which was about meeting some person in the city and then going to Lansingburgh. Remembers the prisoner and Strang were absent on the same night in April. Mrs. Whipple had asked witness to meet her at Fobes' the next morning which she did. Noticed nothing unusual about

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her appearance or behavior. She noticed Mrs. Whipple's hat was wet. There had been a thunderstorm the day before. Mrs. Whipple said she had stayed overnight at Fobes'. The note was found on the same day Mrs. Whipple was absent - while she was preparing to leave. Mrs. Whipple was not told that the note had been found. The note was only shown to Maria Matilda Van Rensselaer, who burned it that evening.

Witness was in the kitchen on evening of May 7th with Mrs. Whipple, Maria Van Rensselaer, Elsie Van Rensselaer, Harriet Van Rensselaer and Dinah. Witness heard a noise then heard Mrs. Catharine Van Rensselaer scream. Abraham Van Rensselaer told them Mr. Whipple was shot. Mrs. Whipple was sitting on a bench near the fire smoking. She had come into the kitchen only about five minutes before the incident. Maria, Elsie, and Harriet Van Rensselaer and herself went into Dinah's room which adjoined the kitchen and accidently locked themselves in. Had heard Strang and Mrs. Whipple talk about prowlers who were after Mr. Whipple and that Strang might mistake Whipple for a prowler and shoot him. Didn't think Strang was more sociable with Mrs. Whipple than with other family members. Didn't know they corresponded by letter. Mrs. Whipple said she caught hold of Dinah when she heard the sound of the gun. She went into her husband's room a few minutes before he was shot, not having been in since tea. Witness had left the room when prisoner went there. Before she went up, Mrs. Whipple asked who was with her husband; witness told her Abraham was there.

Cross-examined. The Whipples occupied a back room on the second floor. There were two beds: he and his wife slept in one and witness sometimes slept in the other. Their eight-year-old son slept in one of the kitchen bedrooms, with Orton or Dinah. When Whipple was gone, witness slept with prisoner; Elsie Van Rensselaer slept in witnesses bed. Witness resides in Washington County. Her uncle and aunt were to leave the next morning for Ulster, where her uncle had a contract on the canal. When Catharine Van Rensselaer was being examined by Mr. Cole, Mrs. Whipple fainted. She said she didn't feel well. She did not appear to be irrational then nor on the evening of the murder, nor on the day after the murder. Once When Mr. Whipple was away, Mrs. Whipple was called downstairs because her son, Abraham, was sick. She stayed about a half hour; after that Abraham was kept upstairs.

Thursday, August 2

MARIA VAN RENSSELAER. She saw prisoner give Strang a pane of glass in the kitchen.

Cross-examined. Miss Patrick had broken a pane of glass in the kitchen window. The pane Mrs. Whipple brought down from the garret was for Strang to replace the broken pane. Glass belonged to Mr. Whipple. He had boxes of glass in the garret. Thinks the pane of glass was broken in Dinah's bedroom.

DINAH JACKSON. (a black woman) Strang asked Mrs. Whipple to lend him a pair of socks. She lent him a pair of white ribbed socks which belonged to her husband. Saw prisoner speak softly to Strang in the kitchen on the day of the murder. Couldn't hear what they said. Mrs. Whipple was with her in the kitchen at the time of the murder. Witness had lit a pipe for her. Someone took hold of her when the gun went off; when she got loose went to kitchen door. Witness had just finished washing supper things and was sitting down to supper. Miss Patrick had been making molasses candy. When witness opened kitchen door she smelled powder; let the dog out.

Cross-examined. There was great confusion in the kitchen. Family members were in her bedroom.

HENRY SCHOONMAKER. Has seen prisoner kneeling or lying down at Strang's door in the jail.

JOHN O. COLE. Prisoner was given voluntary examination on May 26th while at the jail. She was arrested May 25th. Mrs. Patrick, sister of the deceased, was allowed to spend the night with Mrs. Whipple.

Elsie Whipple's examination was read:

Said Orton had told her he would poison Mr. Whipple. He never gave her poison to give to Mr. Whipple nor asked her to poison him herself. Told her he would waylay Mr. Whipple and if he were found out, would get her involved. She told her husband who laughed and said he wasn't afraid of him. She and Orton stayed together at Hill's tavern as man and wife. She was imprudent, deluded by Orton but innocent of murder. Can't swear that Orton is guilty of the murder. Did get a pane of glass for Orton to repair the window but it was too small and is now lying in the kitchen or bedroom. Never gave him any other pane of glass, never spoke with him about firing a bullet through the glass, never knew he tried it and never gave him bullet.

Orton asked her to lend him a pair of socks until he could get his washed. She lent him a pair of socks belonging to her husband; did so innocently. He never returned them. Orton never asked her for any money except on the occasion when she gave him the twenty dollar bill. She did so innocently, just to oblige him. The window curtain in their room had been closed. Mr. Whipple opened it, she never drew it aside.

STARR FOOT. Mrs. Whipple told him prowlers were around the house probably for the purpose of waylaying and killing her husband. She said she bet a hat he would be killed. He considered her remark to have been in jest.

Cross-examined. Mr. Whipple's letters were usually left at Fobes' when he was away. When witness delivered his letters to him, Mr. Whipple tore up a letter from his wife without reading it. After reading a letter from New Jersey, he complained about having to repair a house there and that his wife's grandmother would never die so he could receive money (probably for the sale of the house). Mrs. Whipple asked witness for $25 which she wanted for her Uncle Lansing who was repairing his house. Mr. Fobes gave him the money to give to her. She didn't want her husband to know about the loan. On the night of the murder, Strang came to the hotel to tell him Mr. Whipple was shot and they wanted Mr. Fobes to come to Cherry Hill. Witness also went to Cherry Hill and saw prisoner there.

JOHN O. COLE. Had an interview with the prisoner on May 14 at Cherry Hill. He was alone with her and took notes about what she said. He went to the house to find out all he could about the murder. Witness then suspected her but decided not to arrest her until he obtained more facts. She was not under oath during the examination. The **COURT** ruled that this testimony could not be used since the prisoner had not been told she was accused of a crime nor told she didn't have to incriminate herself.

AMANDA HILL. Spent four weeks at Cherry Hill last winter. Knows of letters sent between prisoner and Strang but doesn't know their contents. Mrs. Whipple gave witness a note to give to Strang. Young Elsie Van Rensselaer also passed notes between the two. Witness resides in Sunderland, Vermont.

DR. JOEL A. WING. (Whipples' family physician) Attended coroner's inquest on May 8th to open body of deceased. Mrs. Whipple wished to speak with him privately but was unable to since there were a number of others in the room. He returned the next morning. On arriving at the house, Mrs. (Catharine) and Miss Van Rensselaer informed witness that Strang had been arrested and they suspected Mrs. Whipple. When he saw Mrs. Whipple she said that her aunt, Uncle Knickerbacker and most of the family suspected that she was involved in her husband's death. She said they had become her enemies, told her she was a bad woman and might be hanged. A gentleman who had come to visit her asked if she could kiss the corpse of her husband. She was indignant but she kissed the corpse and the gentlemen was satisfied.

Mrs. Whipple said she thought some person from Kingston or New York killed her husband as he had had some difficulties in both places with canal contracts. Said Orton and John were good friends and her husband had hired him that morning to go with him to Kingston to supervise some work. She said her husband gave Strang money to buy clothes. Strang had accordingly gone to town to purchase cloth so Henrietta could make him pantaloons. Mrs. Whipple asked witness what she should say if they examined her. He answered that she should tell everything she knew and suspected. They were then unpleasantly interrupted by Mrs. Barnum Whipple who said sternly, "Doctor, what do you think of her"?

CALVIN PEPPER. Testified he found scattered glass and bullets in a stump one fourth of a mile from Cherry Hill. They were pointed out by Strang.

MELANCTON WHIPPLE. (nephew of deceased) Came to Albany on May 5th; saw his uncle on May 7th at Fobes' at dinner. Went to Cherry Hill the day after the murder and spoke with prisoner after the funeral. She said she heard they had let Orton go and arrested another. He disagreed. She also said she expected to be sworn the next day and would say he was innocent and one of John's best friends. Witness was at Cherry Hill daily for two weeks after the death of his uncle. Witness told Mrs. Whipple that Strang said they had stayed together all night; she denied this. She asked witness many times if Strang was found guilty, whether his testimony would be allowed against her.

Cross-examined. Has been staying at Barnum Whipple's (his uncle). Told his uncle about his conversations with Mrs. Whipple. His uncle didn't wish him to appear before the Grand Jury. Ate at Mrs. Van Rensselaer's table while at Cherry Hill.

Mrs. Whipple told witness that Strang had threatened to waylay and murder Whipple, that he would have her if it cost him his life, and he had talked of going to Canada with her.

Cross-examined. Has frequently expressed his opinion that the prisoner is guilty and that if so, she should be hung.

DISTRICT ATTORNEY. (Edward Livingston) Announced his intention to call Strang as a witness for the prosecution. Counsel for the prisoner objected. A long argument took place. The court took a recess until the next day.

Friday, August 3

JUDGE DUER ruled that Strang couldn't be admitted as a witness. (He said Strang was guilty of the crime and seduced the prisoner to gain control of her person and property. She was weak, frivolous, and guilty to a certain extent, but lacks the strength of character to have swayed his mind or controlled his actions. She was a victim. In testifying against an accused accessory, Strang would be eligible for a pardon which he doesn't deserve.)

MR. LIVINGSTON. (district attorney) Said that since Strang's testimony couldn't be admitted, they now lacked a strong case against Mrs. Whipple. The jury would not be warranted in convicting her. They would abandon the prosecution.

JUDGE DUER. Said it would have been better if he had rested the prosecution upon the evidence that had already been shown rather than discharging the prisoner.

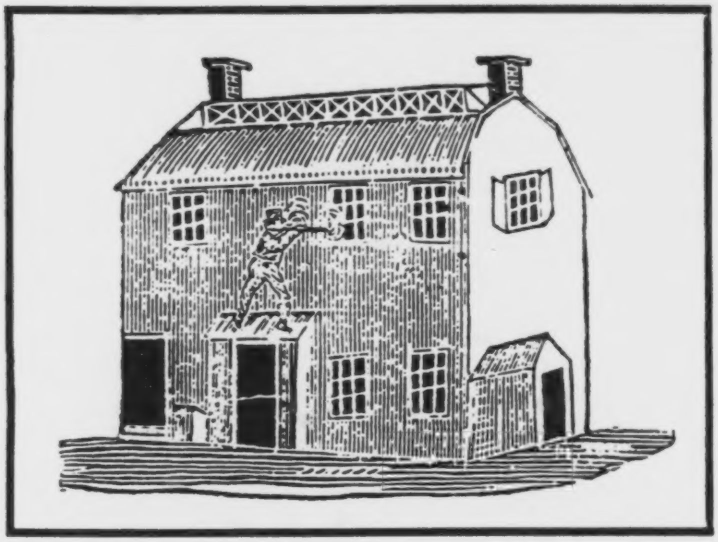
MR. LIVINGSTON. Rested the prosecution and called upon the prisoner for her defense.

MR. FOOT. (lawyer for the prosecution) Advised that the prosecution be abandoned. Is satisfied she cannot or ought not to be convicted upon the testimony given.

MR. VAN VECHTEN. (lawyer for the defense) Because of what the prosecution said, he would not call any witnesses and would submit the case to the court.

JUDGE DUER. Submitted the case to the jury. Told them to look only at the evidence for or against her being an accessory in the murder of her husband, and not her guilt in other matters.

THE JURY, without leaving their seats, found her NOT GUILTY. The prisoner wept, holding a handkerchief to her face and was assisted when she left the chamber.



TEACHING SECTIONS

Teaching Section 1

HISTORY/HERSTORY

EDUCATIONAL OBJECTIVES

After completing this section, students should be able to:

1. Recognize the difference between history and the past. (Level 1)
2. Identify where historians get information about the past. (Level 1)
3. Recognize the difference between primary and secondary records. (Level 1)
4. Distinguish between fact and opinion. (Level 1)
5. Understand the facts about the murder and its outcome. (Level 1)
6. Analyze the Confession as a primary record. (Level 1)
7. Compare point of views. (Level 1 or 2)
8. Recognize that history changes. (Level 2)
9. Describe how news was communicated in the early 1800s. (Level 3)
10. Identify bias in reporting the news. (Level 3)

TEACHING ACTIVITIES

Notes to Teachers

This section is designed to introduce students to the process of interpreting the past. Students will become acquainted with the methods of historians and the sources they rely upon for studying the past. The activities will engage students in isolating and interpreting historical information from primary records. Students will be introduced to the facts about the murder at Cherry Hill. They will also learn that the major characters had different points of view about the event.

Read "Confessions" and "Newspapers" in the Explanation of Documents pages 19 and 21 as well as the overview, "History/Herstory," on page 31 to help you teach this section.

ACTIVITY 1 (Level 1)

Objective
- Recognize the difference between history and the past.

1. Read the paragraph below to students as a basis for discussing how HISTORY is different from the PAST.

   > The past does not exist. History is people's attempt in the present to reconstruct the past.

2. Discuss the following questions with students:

   a. How do we know what happened in the past? (no instant replay)

   b. Can we know the whole story about any event which happened in the past? Why not?

ACTIVITY 2 (Level 1)

Objective
- Identify where historians get information about the past.

1. Discuss the following questions with students:

   a. Where do we find information about the past? (Written records; visual records; memories or oral histories, physical remains such as objects, buildings, archaeological evidence, graveyards, etc.)

   b. Where do we find these sources of information? (In libraries, museums, archives, by talking to people, looking in your own backyard, etc.)

   c. Why might an historian use one source of information rather than another?
   (Point out, for example, that it will be impossible to rely upon photographs or oral histories when students study the 1827 murder at Cherry Hill.)

ACTIVITY 3 (Level 1)

Objective
. Recognize the difference between primary and secondary records.

1. Review the difference between a primary and a secondary record.

2. Ask students to identify whether the following are primary or secondary records:

   -diary
   -book on the history of the Van Rensselaer family
   -newspaper
   -letter
   -book on the history of Albany
   -will
   -your history textbook
   (primary records: diary, newspaper, letter, will)

ACTIVITY 4 (Level 1)

Objective
. Distinguish between fact and opinion.
Material
. Student Worksheet 1

1. Distribute a copy of Worksheet 1 on page 141 to each student.

2. Review the difference between a fact and an opinion and then have students complete the rest of the worksheet on their own.

3. Discuss the answers as a class (see Answer Key on page 145). Stress that information must be proved or verified by at least two reliable sources before it can be considered a fact.

ACTIVITY 5 (Level 1)

Objectives
- Understand the facts about the murder and its outcome.
- Analyze a newspaper as a primary record.
- Distinguish fact from opinion.

Materials
- Information Sheet A
- Student Worksheet 2

1. Distribute a copy of Information Sheet A on page 139 and Worksheet 2 on page 142-3 to each student.

2. After students read the Information Sheet and complete the Worksheet, discuss their answers as a class.

ACTIVITY 6 (Level 1)

Objective
- Analyze the Confession as a primary record.

Material
- The Confession of Jesse Strang (see Summaries of Key Documents)

1. Make copies of the first three pages of the Confession for every student (cover, Daniel Strang's request and first page).

2. Distribute copies to every student.

3. Read the front cover, Daniel Strang's request and paragraph 1 on the first page aloud to the students. Use the glossary on page 272 for a definition of "Court of Oyer and Terminer."

4. As you read, ask the following questions:

    a. When did Strang make this confession? (After his conviction.)

    b. To whom did he make this confession? (To Calvin Pepper, his lawyer.)

    c. Who actually wrote The Confession of Jesse Strang? (Calvin Pepper)

    d. Is Strang's confession "The whole truth and nothing but the truth"? (Point out that Strang lacked impartiality and his account may have left out or distorted important facts.)

ACTIVITY 7 (Level 1 or 2)

Objective
- Compare point of views (bias).

Level 1

Stress that Elsie's statement is the only surviving document giving her version of the events. Point out that just because Strang's version is more complete does not necessarily make it the truth. Emphasize that both Elsie's and Jesse's point of views are biased.

Level 2

Material
- Information Sheet B

1. Read the two documents on Information Sheet B aloud to students OR choose two students to read each version aloud - with feeling!

2. Ask students the following questions:

    a. How does Jesse Strang say Mrs. Whipple was involved? (document 5, lines 11-12)

b. Does Elsie Whipple admit that she was involved in the murder? (document 6, line 19)

c. What does Elsie Whipple admit that she had done that was "imprudent"? (document 6, lines 14-17)

d. What does she say about "Orton's" involvement in the murder? (document 6, line 20)

ACTIVITY 8: (Level 2)

Objective
- Recognize that history changes.

1. Read the following "untruths" from The Dictionary of Misinformation by Tom Burnam (New York: Thomas Y. Crowell Company, 1975), pp. 49, 144, 145, 217.

These facts were once believed to be true but were later proven to be errors of history. Point out that new information and better methods of historical investigation change our ideas of the past.

Christopher Columbus - and a flat world. The notion that most people in Columbus's day believed that the world was flat is quite nonsensical. Not since the days of ancient Greece had anyone of consequence proposed that the earth is not a sphere.

Log cabins and first American settlers. Firmly enshrined in American tradition is that the first colonists lived in log cabins or houses. They did not. John Smith, Governor Bradford, and the Founding Fathers never saw a log cabin, much less lived in one. As long ago as 1927, Henry C. Mercer and G.F. Dow, in separate studies, established that the log cabin was introduced to America not by the Puritans, the Pilgrims, or such Elizabethan adventurers as Captain Smith, but by Swedes who settled on the Delaware in 1638; and not until the eighteenth century did their innovation spread much beyond. (Later, German immigrants were to introduce the log cabin independently.)

Betsy Ross. Betsy Ross was indeed born in Philadelphia in 1752 and died in Philadelphia in 1836. Her husband's uncle, General George Ross, was one of the signers of the Declaration of Independence. But whether she actually made the first flag falls in that category scholars must label "not proved." Historians are suspicious of the story every schoolchild knows: the visit from George Washington, Robert Morris, and General Ross with the request that she try her hand at making a flag, the rough diagram of which they had with them; her demonstration that a five-pointed star could be made with a single clip of the scissors though her illustrious visitors had thought a six-pointed star would be easier; then, later, the final design and her commission.

The story is suspect for two reasons. First, it was not told until 1870, when Betsy Ross's grandson presented it in a paper before the Historical Society of Pennsylvania. And, second, no one has ever found any contemporary documentary evidence to back it up. Still, no one has produced a more convincing claim.

ACTIVITY 9 (Level 3)

Objective

- Describe how news was communicated in the early 1800s.

1. Read the following paragraphs from the two newspapers and Benjamin Harwood's diary aloud to students:

Westchester Herald
August 7, 1827

> . . . We have no further account of the trial, but are informed by a passenger [from a steamboat] that Strang was not admitted as a legal evidence and that Mrs. Whipple was acquitted . . .

New York Commercial American
May 14, 1827

> The Murder at Albany . . . We have verbal intelligence down to yesterday morning [about Joseph Orton being examined and committed, etc.] . . . But we forbear to state the facts . . . lest our informants may have led us into error. The mails of tomorrow morning will doubtless give [more information] . . .

Benjamin Harwood's Diary
excerpt from August 13, 1827 entry

> Toward eve'g visited L. Norton Esq - saw a N.Y. Spect. [New York Spectator] in which read a few remarks on the late trial of Mrs. Whipple at Albany for aiding indirectly in the murder of her late hus-unfortunate husband, John Whipple - this, and the trial of Strange, [sic] seemed to occupy much space in the papers & not a little public attention - Borrowed of my good fr'd his paper of August 7 badly torn in a frolic of the big boys, great boobies, containing a report of Mrs. W's case which made business for me all the eve'g, and then did not finish it- . . .

2. Discuss how news was communicated in the early nineteenth century. Emphasize:
    a. The length of time it took for people to receive the news. (In 1820 it took 28-30 days for a ship to sail from Europe to America and 30 hours for a steamboat to travel from New York City to Albany.)
    b. How news was spread. (mail, word of mouth, sharing of newspapers)

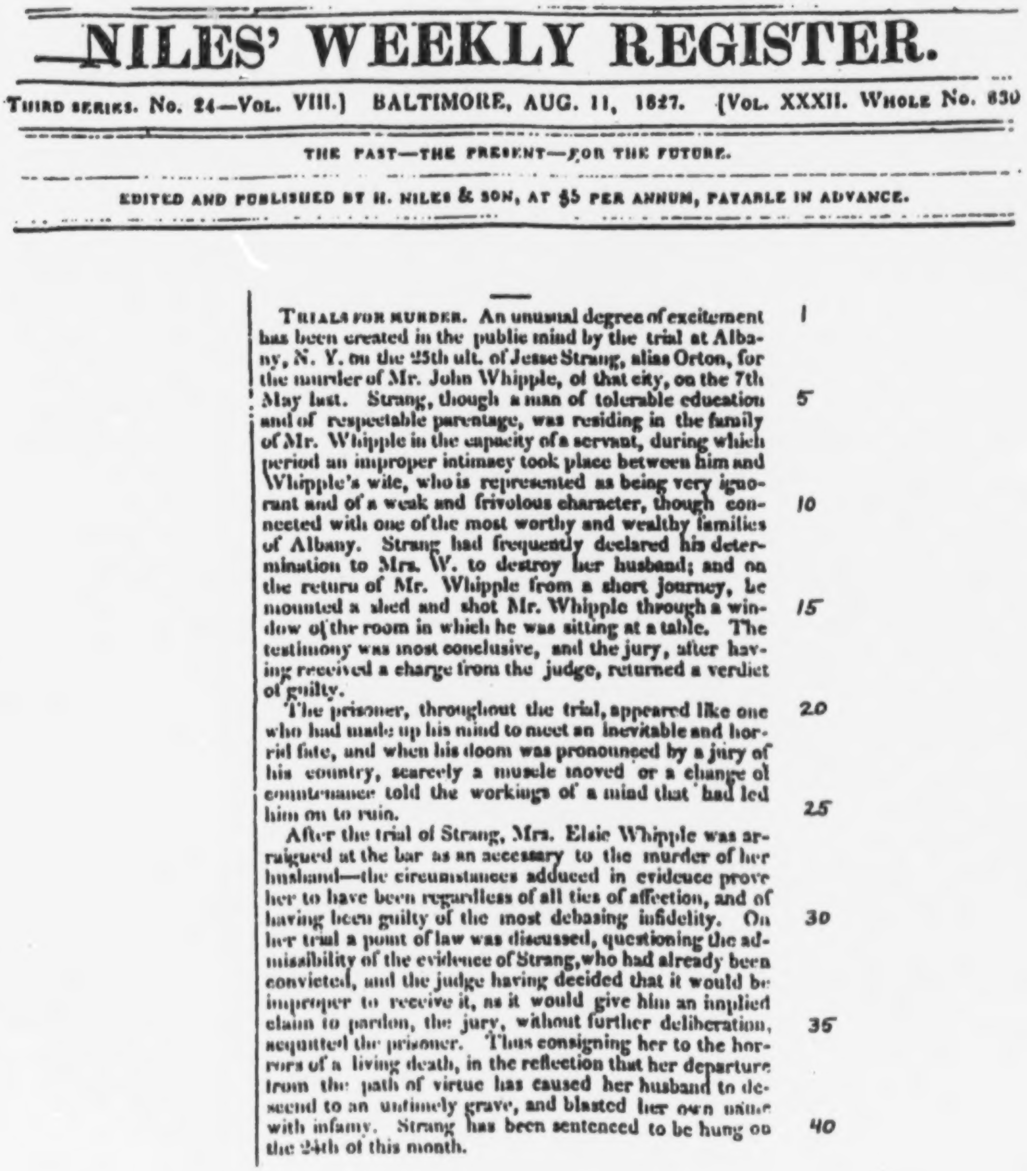
ACTIVITY 10 (Level 3)

Objective
- Identify bias in reporting the news.

Material
- Student Worksheet 3

1. Make copies of Worksheet 3 and distribute to each student as a homework assignment.
2. Select several students to read their completed assignments to the class. (Stress that despite the claims of newspapers or television - Walter Cronkite: "That's the way it is" - every reporter has a point of view and cannot be totally objective. In television, especially, network financial considerations and time constraints have a major affect on how the news is selected and reported.)

Information Sheet A



NILES' WEEKLY REGISTER.

THIRD SERIES. No. 24—VOL. VIII.] BALTIMORE, AUG. 11, 1827. [VOL. XXXII. WHOLE No. 830

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

TRIALS FOR MURDER. An unusual degree of excitement has been created in the public mind by the trial at Albany, N. Y. on the 25th ult. of Jesse Strang, alias Orton, for the murder of Mr. John Whipple, of that city, on the 7th May last. Strang, though a man of tolerable education and of respectable parentage, was residing in the family of Mr. Whipple in the capacity of a servant, during which period an improper intimacy took place between him and Whipple's wife, who is represented as being very ignorant and of a weak and frivolous character, though connected with one of the most worthy and wealthy families of Albany. Strang had frequently declared his determination to Mrs. W. to destroy her husband; and on the return of Mr. Whipple from a short journey, he mounted a shed and shot Mr. Whipple through a window of the room in which he was sitting at a table. The testimony was most conclusive, and the jury, after having received a charge from the judge, returned a verdict of guilty.

The prisoner, throughout the trial, appeared like one who had made up his mind to meet an inevitable and horrid fate, and when his doom was pronounced by a jury of his country, scarcely a muscle moved or a change of countenance told the workings of a mind that had led him on to ruin.

After the trial of Strang, Mrs. Elsie Whipple was arraigued at the bar as an accessary to the murder of her husband—the circumstances adduced in evidence prove her to have been regardless of all ties of affection, and of having been guilty of the most debasing infidelity. On her trial a point of law was discussed, questioning the admissibility of the evidence of Strang, who had already been convicted, and the judge having decided that it would be improper to receive it, as it would give him an implied claim to pardon, the jury, without further deliberation, acquitted the prisoner. Thus consigning her to the horrors of a living death, in the reflection that her departure from the path of virtue has caused her husband to descend to an untimely grave, and blasted her own name with infamy. Strang has been sentenced to be hung on the 24th of this month.

Document 4

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Information Sheet B

HIS STORY

The Confession of Jesse Strang (paragraph 91)

Thus, things remained until the meeting of the Grand Jury, at the Albany General Sessions, on the second Tuesday in June, and having been visited by them in a body, and by several of them individually, and having also been informed, that they had found a bill against me, that the proof of my guilt was manifest, and that Mrs. Whipple herself had testified enough against me to convict me, and feeling conscious of my own guilt, and much reduced in bodily strength and mind; in the fore part of the evening of Thursday, I felt as though my body would burst. About ten o'clock, I sent for Mr. Becker, the gaoler, and informed him, of the state of my feelings, and confessed to him that I was guilty, *and that Mrs. Whipple was the foundation of the whole of it.*

Document 5

HER STORY

The Albany Argus August 6, 1827 Elsie Whipple's Trial

Albany county, ss.—The voluntary examination of Elsie Whipple, taken this 26th day of May, 1827, who says that Orton has told her that he would poison Mr. Whipple if he could get a chance, but he never gave her any arsenic or other poison to give to Mr. Whipple, nor ever asked her to administer any such thing, and he has told her that he would waylay Mr. Whipple, and that if he was found out in it, he would get her as deep in the mud as he was in the mire; that she told Mr. Whipple of this last threat, but he laughed at it, and said he was not afraid of him; both of these declarations of Orton were some considerable time before Mr. W.'s death, and before she and Orton went a riding together; that ride was on the day Mr. Whipple went to Kingston the last time; on that occasion they stayed together at the tavern as man and wife; that she has been imprudent, and has been deluded away by Orton, but is innocent of the murder, and cannot swear that Orton is guilty of the murder.—Did get a pane of glass for Orton to set in the window in the kitchen, but it was too small, and it is now lying in the kitchen or bed room; never gave him any other pane of glass, nor ever told him where he could get one; never spoke with him about a bullet glancing on a pane of glass, and never knew that he had tried the experiment; never gave Orton a ball or bullet, and he never asked her for one. On the Wednesday or Thursday preceding Mr. Whipple's death, Orton asked her to lend him a pair of socks, till he could get his washed, she lent him a pair of white ribbed socks belonging to Mr. Whipple; he has never returned them; she did this innocently and with no other intention than to oblige him, and did not think or dream that he wanted them for any other purpose. Has been informed that Orton has said that he had given her a gold heart; it is not true; he brought it home and offered to sell it to Maria Van Rensselaer; she (Mrs. W.) bought it of him and gave him $9 for it. Orton never asked her for $60, and never asked her for money at any other time than on the occasion when she let him have the $20 bill, of which she has heretofore testified, and *that* she lent him with the innocent intention to oblige him, and with no other motive; when she let him have that bill, he gave her $4 in change, and the next day he gave her $6. The window curtain of the room in which Mr. Whipple was at the time he was shot, had been closed for some time previous to Mr. W.'s return; when he returned he threw it aside, for he wanted the light in the room in the morning; she never drew it aside or fastened it up. ELSIE D. WHIPPLE.

Taken before me, this 26th May, 1827, *John O. Cole*, justice.

Document 6

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Section 1
History/Herstory

Name ____________________

Student Worksheet 1

FACT OR OPINION

What is a fact? A statement that can be proved or verified to be true.

What is an opinion? A statement that is someone's view or idea on a subject. It is how a person interprets a fact.

Identify whether the following are FACT or OPINION. Write F or O beside each number:

_____ 1. Albany had a smaller population in the 1820s than it has today.

_____ 2. Stagecoach travel was much more fun than river travel.

_____ 3. Albany was a trading center in the 1820s.

_____ 4. "The habits and education of the white and black population are essentially different - their pursuits are different; and none of these could be brought to correspond . . ."

_____ 5. The death penalty is the best solution to crime.

_____ 6. The death penalty was legal in New York State in 1827.

_____ 7. The Albany African Association celebrated the abolition of slavery in New York State in early July, 1827.

_____ 8. In 1827 "steamboat racing (had) become an alarming evil."

_____ 9. Jesse Strang's hanging was the last public execution in Albany.

_____ 10. Men are more likely to commit murder than women because they don't know how to express their emotions.

Name ____________________

Student Worksheet 2

NILES' WEEKLY REGISTER

Use Information Sheet A.

1. Look up the following words in a dictionary and write their definitions.

   alias

   frivolous

   testimony

   verdict

   jury

   countenance

   arraigned

   accessary (see accessory)

   adduced

   admissibility

   pardon

   acquitted

   infamy

Cont.

2. What is the name of this newspaper?

3. Where was it published?

4. When was it published?

5. Who is first brought to trial?

6. What where the charges?

7. Where did the crime take place?

8. What was the verdict of the trial?

9. What was the sentence?

10. Who else was on trial?

11. What was the charge against this person?

12. What was the verdict of this trial?

13. How did this person depart from the "path of virtue"? Circle the right answer:

    by killing John Whipple
    by committing adultery

14. Why do you think this event was reported so far away?

15. Is this newspaper a primary or secondary source?

16. Can you tell whether a reporter from the Niles' Weekly Register actually attended the trials? Explain why you answered as you did.

17. In the first paragraph, find where the newspaper stated opinion rather than fact and write the words below:

18. The newspaper expresses a strong opinion about Elsie in the last paragraph. Today, in what section of the newspaper are such strong opinions about people usually expressed?

Name ____________________

Student Worksheet 3

OBJECTIVITY AND THE NEWS

Read an article in a newspaper or listen to a news story on television where witnesses are interviewed. It can be a story about a crime, traffic accident, natural disaster, environmental problem, etc. Complete the following questions to determine the point of view of the reporter or news station:

1. Did the reporter talk to witnesses or people who had differing viewpoints? Did the reporter give equal time to each?
2. If the reporter interviewed only one person, why do you think he didn't get another person's viewpoint?
3. The reporter should have interviewed . . .
4. What conclusions did the reporter draw? Did the reporter's conclusion favor one person's viewpoint over another's or did his conclusion present both sides fairly?
5. Did the reporter sensationalize this topic? If so, how?
6. List 3 questions you had which the reporter didn't answer.
7. Why do you think this event was selected for a newspaper or television report?
8. Who decides whether this story should be selected for the news?

ANSWER KEY TO STUDENT WORKSHEETS

WORKSHEET 1 (Activity 4)

1. Fact
2. Opinion
3. Fact
4. Opinion (quote from document 20, Section 2)
5. Opinion
6. Fact
7. Fact
8. Opinion (quote from document 17, Section 2)
9. Fact
10. Opinion

WORKSHEET 2 (ACTIVITY 5)

1. Refer to a dictionary for answers.
2. Niles' Weekly Register
3. Baltimore
4. August 11, 1827
5. Jesse Strang (Remind students that he used the name of Joseph Orton as his alias.)
6. Murder
7. Albany, New York
8. Guilty
9. Strang was sentenced to be hanged on August 24.
10. Mrs. Elsie Whipple
11. Accessory to the murder of her husband.
12. By committing adultery
13. She was acquitted.
14. Mention that crimes attract wide attention even today. The fact that the Cherry Hill murder was reported in newspapers as far south as Baltimore was not unusual. Murders were commonly front page news that were reported nationally in this era.
15. Primary
16. There is no indication that a Niles reporter attended the trials. The use of paid correspondents was still unusual at this time. Newspapers and journals usually picked up stories from other sources and ran them verbatim, sometimes giving credit, sometimes not. This casualness was typical before a central clearinghouse for news was established - the Associated Press - in the 1840s. The group of New York newspapers who formed the AP did so to take advantage of the quickness of the newly invented telegraph in relaying the news.

17. Lines 9-10 (Mrs. Whipple . . . "who is represented as being very ignorant and of a weak and frivolous character . . ."

18. The newspaper expresses another opinion of her in lines 36-40. Today such opinions would appear on the editorial page. In the early nineteenth century, objectivity in reporting was not an issue. Newspapers were expected to be partisan.

WORKSHEET 3 (Activity 10)

Answers vary

Teaching Section 2

SETTING THE STAGE

EDUCATIONAL OBJECTIVES

After completing this section, students should be able to:

1. Gather and organize information about life in the 1820s. (Level 1)
2. Compare life in Albany, the state and nation in the 1820s. (Level 1)
3. Identify members of the Cherry Hill household and their rooms in the house. (Level 1)
4. Recognize how the structure and function of families have changed. (Level 1)
5. Understand the backgrounds, jobs and roles of the major characters. (Level 1)
6. Gather information from primary and secondary sources on the major characters. (Level 2)
7. Understand Jesse Strang's version of the events leading to the murder. (Level 1)
8. Recognize the different styles of writing in the Confession. (Level 1)
9. Realize the difficulty remembering conversations and events exactly. (Level 1)
10. Understood the limited legal rights of women in the early nineteenth century. (Level 1)
11. Recognize possible motives for murder. (Level 1)
12. Identify the location of Cherry Hill on an 1820s Albany County map. (Level 2)
13. Identify major landmarks and transportation routes on an 1820s Albany County map. (Level 2)
14. Identify household objects used in the 1820s. (Level 2)
15. Identify and compare the major forms of transportation in the 1820s. (Level 3)

16. Understand how slavery was abolished in New York State. (Level 3)

17. Recognize some early nineteenth century white attitudes towards slavery and blacks. (Level 3)

18. Identify city landmarks on an 1820s Albany map. (Level 3)

TEACHING ACTIVITIES

Notes to Teachers

This section is designed to introduce students to life in the 1820s in Albany, the state and nation. Students will become familiar with the Cherry Hill farm and household and the major characters involved in the murder. They will read Strang's Confession in order to understand his version of the events leading to the murder. Students will also continue their analysis of the Confession as a primary document. This section will show the limited legal rights of women in the early 1800s and have students recognize how these laws may have provided possible motives for murder. The five illustrations on pages 196 to 200 can be posted for students.

Read the following overviews on pages 34 to 56 to help you teach this section: "Portrait of a Decade", "Family and Home", "The Van Rensselaer Family of Cherry Hill", "Jesse Strang", "Elsie Whipple", "John Whipple" and "Slavery in New York."

ACTIVITY 1 (Level 1)

Objective
- Gather and organize information about life in the 1820s.
- Compare life in Albany, the state and nation in the 1820s.

Materials
- Information Sheet A
- Textbook on New York State History
- Textbook on American History
- History of the United States, Volume 3, "The Growing Years," Time-Life Books
- Eureka: An Illustrated History of Inventions from the Wheel to the Computer, edited by Edward de Bono
- Paper for posters, magic markers, colored pencils

1. Divide the class into four groups.
2. Using the materials above, each group should research major events of the 1820s in one of the following areas:
   Nation
   New York State
   City of Albany
   Technological Advancements
3. Make copies of Information Sheet A for the group researching the city of Albany.
4. Each group should produce a poster from their research.

5. Each poster should be put up on the board and discussed. The posters could be left up until students finish studying all five sections in this teaching unit.

ACTIVITY 2 (Level 1)

Objectives
- Identify members of the Cherry Hill household and their rooms in the house.
- Recognize how the structure and function of families have changed.

Materials
- Confession, paragraphs 1-5
- Student Worksheet 1
- Information Sheet B and C

1. Distribute copies of the Confession, Worksheet 1 and Information Sheet B to every student in the class.

2. Read the original Confession, paragraphs 1-5 on the right, aloud to students.

3. Students should then complete Worksheet 1 using the summary paragraphs 4 and 5 on the left, and Information Sheet B.

4. Review the answers as a class (see Answer Key).

5. Distribute Information Sheet C showing the rear elevation and floor plans of Cherry Hill drawn by modern day artist Ron Tolke. Using the key on the left, have students match the household members to their rooms on the various floors of the house. (Point out that Henrietta Patrick sometimes stayed in the Whipple's room. It is not known where Kilian Van Rensselaer or the three daughters of Philip P. Van Rensselaer slept. They may have had rooms in the attic.)

6. Discuss the following points with students:

   a. Compare the size and make-up of the Cherry Hill household to households today (extended family with several generations vs. nuclear family)

   b. How have our feelings about privacy changed since the early nineteenth century?

c. If people wanted privacy in the Cherry Hill household what might they have done? (Gone into vacant rooms in the house or outside. Stress that people knew how to give others privacy in the same room by restricting their activities to a certain space or trying not to listen to others' conversations.)

ACTIVITY 3 (Level 1 or 2)

Objectives
- Understand the backgrounds, jobs and roles of the major characters. (Level 1)
- Gather information from primary and secondary sources on the major characters. (Level 2)

Level 1:
Read the overviews on Jesse Strang, Elsie Whipple and John Whipple. Describe these major characters to the students.

Level 2:
Materials
- Confession, paragraphs 2, 3, 4, 7, 13
- Information Sheets D, E, F, G
- Student Worksheets 2, 3, 4
- Encyclopedia or textbook on New York State history

1. Divide the class into three groups and assign a character to each group.

2. The following materials will be needed:

   a. JESSE STRANG group
   Distribute a copy of Worksheet 2; the Confession, paragraphs 2, 3, 4, 7, 13; and Information Sheets D and E to each student.

   b. ELSIE WHIPPLE group
   Distribute a copy of Worksheet 3; the Confession, paragraph 3; and Information Sheets F and G to each student.

   c. JOHN WHIPPLE group
   Distribute a copy of Worksheet 4; the Confession, paragraph 4; and Information Sheets F and G to each student. This group will also need an encyclopedia or textbook on New York State history.

3. Allow time for students to read the materials and complete the worksheets together. Suggest they divide the reading materials among the members of each group. Students should appoint a spokesperson for their group.

4. Ask each group's spokesperson to report on their character (see Answer Key) based on their completed worksheet.

5. Teachers should use the overviews on Jesse Strang, Elsie Whipple and John Whipple to complete the information about the characters and answer questions.

ACTIVITY 4 (Level 1)

Objective
- Understand Jesse Strang's version of events leading to the murder.

Materials
- Confession, paragraphs 3-21
- Student Worksheet 5

1. Distribute copies of Worksheet 5 to every student. They will also be working on this time line in sections 3 and 4.

2. Distribute copies of the Confession to every student. Read the summary paragraphs 6-21, on the left, aloud to students, or if time permits, the original paragraphs on the right.

3. Allow time for students to complete events 1-4 on the time line using the Confession, summary paragraphs 3, 4, 8 and 9, on the left.

4. Review the answers as a class (see Answer Key).

ACTIVITY 5 (Level 1)

Objectives
- Recognize the different styles of writing in the Confession.
- Realize the difficulty of remembering conversations and events exactly.

Material
- Confession, paragraphs 12 and 15

1. Review Jesse Strang's letter, paragraph 12, with the class. Ask students to compare Jesse Strang's style of writing to Calvin Pepper's.

2. Read Elsie Whipple's letter, paragraph 15. Ask students to compare the style of Jesse's letter with Elsie's letter "that he is able to recollect."

3. In order for students to understand the difficulty of re-creating conversations or written letters, ask them to write a detailed account of a conversation they had with a friend or family member one month ago.

   Stress that Strang was recalling the content of conversations and letters spoken and written almost ten months earlier.

ACTIVITY 6 (Level 1)

Objectives
- Understand the limited legal rights of women in the early nineteenth century.
- Recognize possible motives for murder.

Material
- Information Sheet H

1. Distribute copies of Information Sheet H to every student.

2. Review the information, comparing women's legal rights then and now.

3. Ask the following questions:

   a. Why couldn't Elsie Whipple write her own check?

   b. Why would it be difficult for Elsie to run away?

   c. Why didn't Elsie divorce John?

   d. What did Jesse Strang stand to gain from running away with Elsie and posing as her husband?

   e. Why might the laws regarding married women's property have provided both Jesse Strang and Elsie Whipple with a motive for killing John?

   Teachers should also refer to Elsie Whipple's overview for help in answering these questions.

ACTIVITY 7 (Level 2)

Objectives
- Identify the location of Cherry Hill on an 1820s Albany County map.
- Identify major landmarks and transportation routes in Albany County on an 1820s Albany County map.

Materials
- Information Sheet I
- Student Worksheet 6
- Modern map of Albany County

1. Distribute copies of Information Sheet I and Worksheet 6 to every student. Refer to the modern map, as needed.

2. Review the answers as a class (see Answer Key).

ACTIVITY 8 (Level 2)

Objective
- Identify household objects used in the 1820s.

Material
- Student Worksheet 7

1. Distribute a copy of Worksheet 7 to every student.

2. After students have unscrambled the words, review the answers as a class (see Answer Key).

ACTIVITY 9 (Level 3)

Objective
- Identify and compare the major forms of transportation in the 1820s.

Materials
- Information Sheet J
- Student Worksheet 8

1. Distribute a copy of Worksheet 8 and Information Sheet J to each student.

2. Discuss their answers as a class (see Answer Key).

   (Stress that Albany was a major trade and transportation center. Passenger traffic was heavy since many stages and steamboats made the city their main terminal. The city was also one of the major turnpike centers of the state.)

ACTIVITY 10 (Level 3)

Objectives
- Understand how slavery was abolished in New York State.
- Recognize some early nineteenth century white attitudes towards slavery and blacks.

Material
- Information Sheet K

1. Distribute the information sheet to each student.

2. Discuss the following points:

   a. Document 18 - Were all blacks in New York State truly free on July 4, 1827? (Emphasize that those blacks born after 1799 owed service to the mother's master, in some cases until 1848.)

   b. Document 19 - How was the abolition of slavery celebrated in Albany?
   Does the reporter or editor approve of the way the celebration was conducted? Why or why not?

Document 20 - What reasons does this article give for why blacks and whites are "essentially different"? (Point out that this type of overt racial prejudice was typical of the times.)
Why can't blacks "enjoy power in common with the white population"? (Emphasize that blacks may have obtained freedom, to a large extent, but not social equality.)

ACTIVITY 11 (Level 3)

Objective
- Identify city landmarks on an 1820s Albany map.

Materials
- Information Sheet L
- Student Worksheet 9

1. Distribute copies of the worksheet and information sheet to each student.

2. Review the answers as a class (see Answer Key).

Information Sheet A

ALBANY IN THE 1820s

POPULATION: 1820 = 12,241; 1830 = 24,216.

SIZE: A visitor in 1819 estimated that the city extended inland one mile west of the river. From its center Albany probably had few buildings more than one mile north or one mile south along the river.

CITYSCAPE: Visitors traveling up the Hudson River were impressed with the view of Albany. It was a mixture of Dutch style houses with steep stepped roofs, the high spires of churches and the gold dome of the capital. The busiest and most congested areas of Albany were State, Pearl and Market (Broadway) Streets and the small side streets that ran parallel and perpendicular to them.

The Albany Basin, built from 1823-25, covered thirty-two acres, and its pier could accommodate 1,000 canal boats. It was constructed to cope with the traffic from the new Erie and Champlain Canals.

At the end of the decade ground was broken for a new city hall primarily designed by Philip Hooker.

MAJOR PUBLIC EVENTS: Visit by LaFayette in 1824.
Opening of the Erie and Champlain Canals to Albany in 1823.
Statewide celebration of the completion of the canals in 1825.

TRANSPORTATION: The river was full of a variety of boats including sailing sloops, barges, canal boats and steamships. The steamship was the fastest and the primary form of river transportation between New York City and Albany. In 1820 it took twenty hours to travel between the two cities by steamship. By the end of the decade the steamship had been improved to the point that the same distance was traveled in half the time.

During the winter months, usually mid-December through March, the river froze, and all traffic was forced to stop.

The main public mode of transportation by land was the stagecoach. Though stagecoach travel declined with the opening of the canal in many areas, it flourished between Albany and

Cont.

Schenectady. Many travelers left the river at Albany and took a stage to Schenectady, since it was faster than staying in the canal boats and going through thirty or so locks to get around the Cohoes Falls.

CHURCHES: Churches in Albany were diverse and numerous. The various religions represented in the city included: Dutch Reformed, Episcopal, Lutheran, Baptist, Methodist, Unitarian, Jewish, Roman Catholic, Universalist and Quaker. The Shaker Community was located just north of the city in Watervliet.

SCHOOLS: Albany was never a center of education, but it did have some good schools including the Albany Academy, the Albany Female Academy, the Lancaster School and the Mechanic School. There were no colleges in Albany; but two new schools, Rensselaer Polytechnical Institute (1824) and the Emma Willard School (1821), were in Troy. Union College in Schenectady was chartered in 1795.

ENTERTAINMENT: In Albany there were several forms of public entertainment. Two theatres operated in the city, one on State Street and the other on Pearl Street. Performances ranged from Shakespeare to the most modern plays of the day. Prominent actors of the era, such as Edwin deForrest, performed several times. For a few years there was a circus off North Pearl Street just above Columbia. The Albany Museum, located in the old City Hall, was founded in 1809 and was reputed to be one of the best museums in the country. Other attractions available during the decade included Ames Gallery of Portraits and the Albany Lyceum of Natural History. The Albany Institute, founded in 1791, was mainly concerned with science and agriculture.

SOCIETY: Old Dutch families continued to have a prominent role in Albany society. The patroon, Stephen Van Rensselaer III, was considered one of the most prominent men in the country and his home, the Manor House, one of the finest. It was located north of Albany in the present day Menands. Europeans visiting the city found Albanians' manners old fashioned and too formal, the food plain and too plentiful; but the people overall were friendly and accommodating.

ECONOMICS: This decade was one of fast expansion and growth for the city. Even though it has been the state capital since 1797, Albany's growth was more dependent on its location as a transportation crossroads. With the opening of the canals in 1825, Albany's big businesses were those involved in the river trade.

Cont.

DISEASE AND POVERTY: The streets of Albany were filled with garbage and sewage. Albany's water was of poor quality. Hundreds of pigs were allowed to roam the streets, feasting on the garbage. Rats from the ravines and docks were plentiful as was horse manure. Albany was fortunate in not being hit with the yellow fever epidemic that struck New York City in 1822. The city was not so fortunate in 1832 when a cholera epidemic swept through the city and killed almost four hundred people.

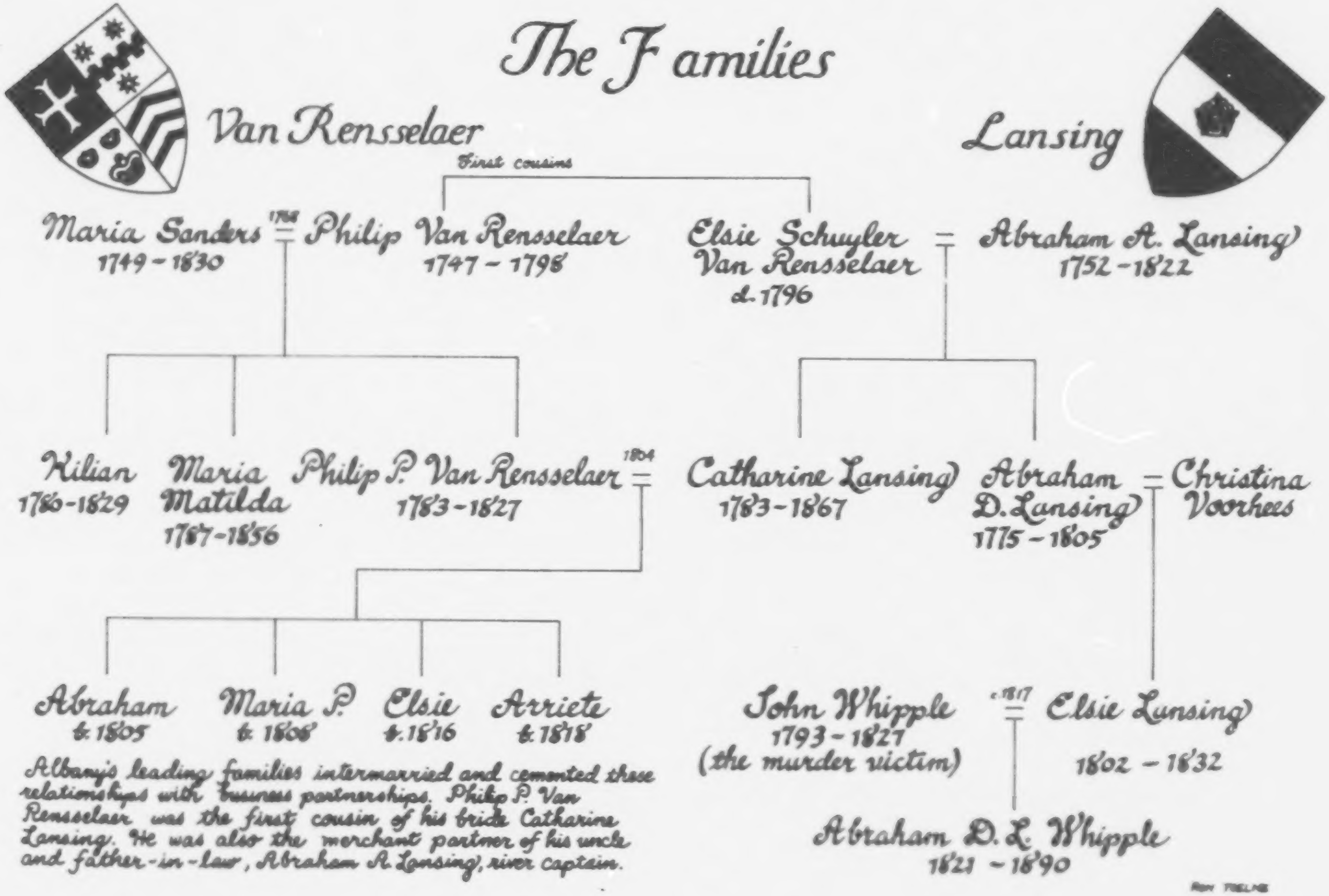
Along with prosperity and growth came poverty. By 1829 the Albany Alms House contained over 430 people. Two new institutions founded in that year were the Albany Orphan Asylum and St. Vincent's Female Orphan Asylum. Jails in the city held not only criminals but also people imprisoned for not paying their debts.

SLAVERY: Slavery was abolished in New York on July 4, 1827. It has been outlawed in New England earlier but was to remain a prominent institution in the South until the Civil War. Slavery in America had always been equated with blacks. Freed blacks for the most part could only find menial work to support themselves though many had special skills learned as slaves. After slavery was abolished most blacks continued to be disenfranchised when laws were passed in New York requiring property qualifications to vote. These same laws were revoked for white voters.

The percentage of blacks in Albany steadily declined as manumission (freeing slaves) became common in the 1790s. The federal census of 1790 reported that at least 16% of Albany's population was black. By 1830 the black population had dropped to 4%.

POLITICS: The influence of the Dutch families in Albany politics was on the decline by the 1820s. With the rise of the Democratic Party, the Dutch Federalists were ousted. The last major success of the Dutch families were the election of Solomon and then Stephen Van Rensselaer as congressmen.

The Families


Van Rensselaer
Lansing
First cousins
Maria Sanders 1749 - 1830
1768
Philip Van Rensselaer 1747 - 1798
Elsie Schuyler Van Rensselaer d. 1796
Abraham A. Lansing 1752 - 1822
Kilian 1786 - 1829
Maria Matilda 1787 - 1856
Philip P. Van Rensselaer 1783 - 1827
1804
Catharine Lansing 1783 - 1867
Abraham D. Lansing 1775 - 1805
Christina Voorhees
Abraham b. 1805
Maria P. b. 1808
Elsie b. 1816
Arriete b. 1818
John Whipple 1793 - 1827 (the murder victim)
c. 1817
Elsie Lansing 1802 - 1832
Abraham D. L. Whipple 1821 - 1890

Albany's leading families intermarried and cemented these relationships with business partnerships. Philip P. Van Rensselaer was the first cousin of his bride Catharine Lansing. He was also the merchant partner of his uncle and father-in-law, Abraham A. Lansing, river captain.

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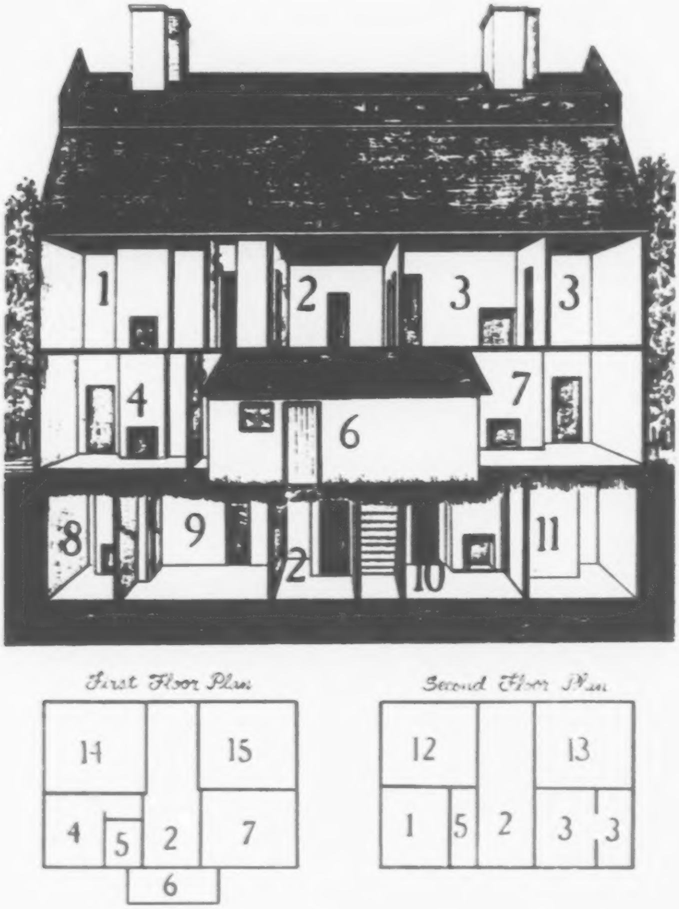
Information Sheet C

CHERRY HILL REAR ELEVATION AND FLOOR PLANS


1
2
3
3
4
7
6
8
9
2
10
11
First Floor Plan
14
15
4
5
2
7
6
Second Floor Plan
12
13
1
5
2
3
3

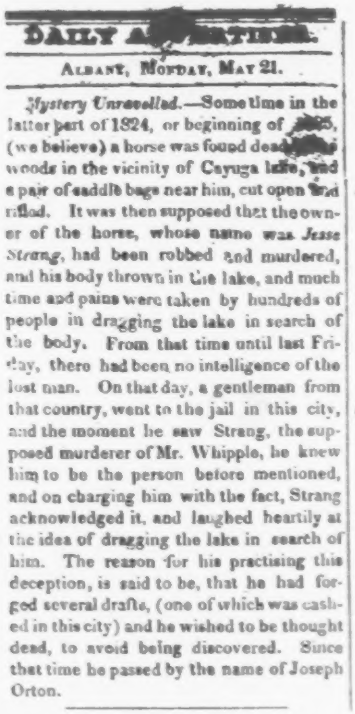
Inside Cherry Hill

Key

1. Maria Matilda Van Rensselaer's room
2. Hall
3. The Whipples' room
4. Office
5. Enclosed stairway
6. Shed
7. After Philip P. Van Rensselaer's death, his wife Catharine Van Rensselaer's room
8. Black boy's room
9. William Wilson's room
10. Dinah Jackson's room
11. George Wilson and Jesse Strang's room
12. Maria Sanders Van Rensselaer's room
13. Philip P. and Catharine Van Rensselaer's room until Philip P.'s death; then their son Abraham Van Rensselaer's room
14. North parlor
15. South parlor

Information Sheet D

Albany Daily Advertiser
May 21, 1827



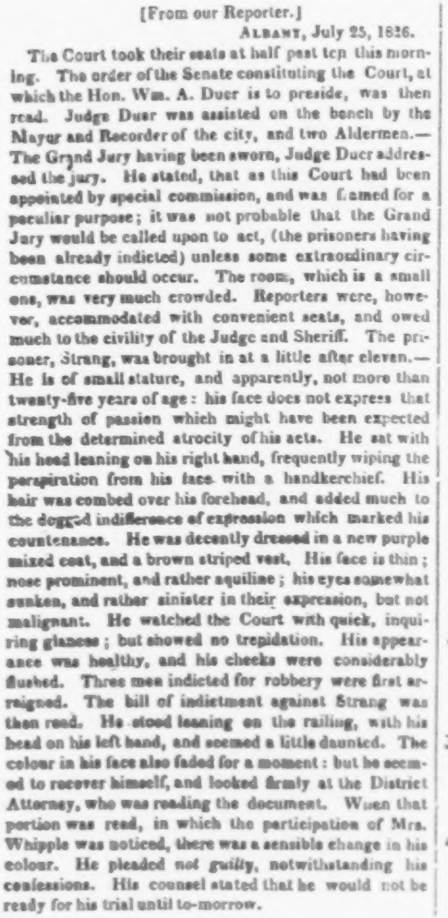
DAILY A[illegible]RTISER.

ALBANY, MONDAY, MAY 21.

Mystery Unravelled.—Some time in the latter part of 1824, or beginning of [illegible]5, (we believe) a horse was found dea[illegible] woods in the vicinity of Cayuga lake, and a pair of saddle bags near him, cut open and rifled. It was then supposed that the owner of the horse, whose name was *Jesse Strang*, had been robbed and murdered, and his body thrown in the lake, and much time and pains were taken by hundreds of people in dragging the lake in search of the body. From that time until last Friday, there had been no intelligence of the lost man. On that day, a gentleman from that country, went to the jail in this city, and the moment he saw Strang, the supposed murderer of Mr. Whipple, he knew him to be the person before mentioned, and on charging him with the fact, Strang acknowledged it, and laughed heartily at the idea of dragging the lake in search of him. The reason for his practising this deception, is said to be, that he had forged several drafts, (one of which was cashed in this city) and he wished to be thought dead, to avoid being discovered. Since that time he passed by the name of Joseph Orton.

Document 7

New-York American
July 31, 1827



[From our Reporter.]

ALBANY, July 25, 1826.

The Court took their seats at half past ten this morning. The order of the Senate constituting the Court, at which the Hon. Wm. A. Duer is to preside, was then read. Judge Duer was assisted on the bench by the Mayor and Recorder of the city, and two Aldermen.—The Grand Jury having been sworn, Judge Duer addressed the jury. He stated, that as this Court had been appointed by special commission, and was framed for a peculiar purpose; it was not probable that the Grand Jury would be called upon to act, (the prisoners having been already indicted) unless some extraordinary circumstance should occur. The room, which is a small one, was very much crowded. Reporters were, however, accommodated with convenient seats, and owed much to the civility of the Judge and Sheriff. The prisoner, Strang, was brought in at a little after eleven.—He is of small stature, and apparently, not more than twenty-five years of age: his face does not express that strength of passion which might have been expected from the determined atrocity of his acts. He sat with his head leaning on his right hand, frequently wiping the perspiration from his face with a handkerchief. His hair was combed over his forehead, and added much to the dogged indifference of expression which marked his countenance. He was decently dressed in a new purple mixed coat, and a brown striped vest. His face is thin; nose prominent, and rather aquiline; his eyes somewhat sunken, and rather sinister in their expression, but not malignant. He watched the Court with quick, inquiring glances; but showed no trepidation. His appearance was healthy, and his cheeks were considerably flushed. Three men indicted for robbery were first arraigned. The bill of indictment against Strang was then read. He stood leaning on the railing, with his head on his left hand, and seemed a little daunted. The colour in his face also faded for a moment: but he seemed to recover himself, and looked firmly at the District Attorney, who was reading the document. When that portion was read, in which the participation of Mrs. Whipple was noticed, there was a sensible change in his colour. He pleaded *not guilty*, notwithstanding his confessions. His counsel stated that he would not be ready for his trial until to-morrow.

Document 8

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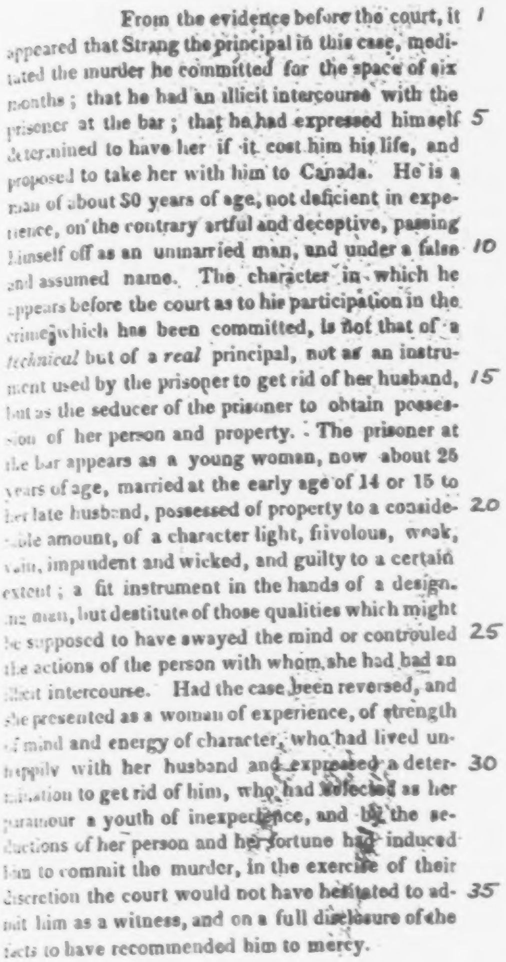
Information Sheet E

JUDGE DUER'S RULING



The Albany Argus
August 4, 1827

From the evidence before the court, it appeared that Strang the principal in this case, meditated the murder he committed for the space of six months; that he had an illicit intercourse with the prisoner at the bar; that he had expressed himself determined to have her if it cost him his life, and proposed to take her with him to Canada. He is a man of about 50 years of age, not deficient in experience, on the contrary artful and deceptive, passing himself off as an unmarried man, and under a false and assumed name. The character in which he appears before the court as to his participation in the crime which has been committed, is not that of a *technical* but of a *real* principal, not as an instrument used by the prisoner to get rid of her husband, but as the seducer of the prisoner to obtain possession of her person and property. The prisoner at the bar appears as a young woman, now about 25 years of age, married at the early age of 14 or 15 to her late husband, possessed of property to a considerable amount, of a character light, frivolous, weak, vain, imprudent and wicked, and guilty to a certain extent; a fit instrument in the hands of a designing man, but destitute of those qualities which might be supposed to have swayed the mind or controuled the actions of the person with whom she had had an illicit intercourse. Had the case been reversed, and she presented as a woman of experience, of strength of mind and energy of character, who had lived unhappily with her husband and expressed a determination to get rid of him, who had selected as her paramour a youth of inexperience, and by the seductions of her person and her fortune had induced him to commit the murder, in the exercise of their discretion the court would not have hesitated to admit him as a witness, and on a full disclosure of the facts to have recommended him to mercy.

Document 9

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Information Sheet F

Excerpt from
New-York American
August 1, 1827

[From our Reporter.]

ALBANY, July 28.

The grandfather of Elsie Lansing, now Mrs. Whipple, (and father of my informant,) was a wealthy man, who had, long before his death, apportioned his estate in such a manner as to leave each of his children possessed of a handsome property. To the father of Elsie he had been somewhat more liberal than to the others.—While her father and mother lived, he had been particularly kind to her, and seemed to take much interest in her welfare. In this, he had to combat the weakness of an indulgent mother. Elsie was an only child, and had such winning ways that a tender mother could exercise little authority over her. She was particularly averse to study; nor could her parents induce her to apply to it that labour which might have made her acquirements respectable. Her grandfather saw this with regret; and finding that while at home with her mother, she was likely to remain an ignoramus, since she had passed her thirteenth year as such, he made use of strong arguments, and even commands, to induce her mother to send her to some distant seminary. Consent was at last obtained, on condition that the old gentleman should take her mother to see her every Saturday. She accordingly went to Troy, where she had remained but three months when her mother died. The care of the orphan then devolved upon the good lady from whom I obtained my information, and she was sent to Waterford school for a quarter. At its close she returned to the house of her father, to spend a vacation of two weeks. Her aunt felt a degree of compassion for Elsie, who was very pretty, and apparently docile—and did not think it proper to exercise over her any greater restraint than had been used by her mother. She therefore permitted her evening visits to a neighbor's house, between their's and which lived the brother of John Whipple. With the family of Whipple they then had no intimacy, nor did Elsie's aunt, or father, know at that time of the existence of her after-husband. Elsie was gone every evening during the vacation, and generally returned in time to hear prayers, at which her father was in the strict habit of joining his family at 10 o'clock each night. She said, on being asked where she had been, that she had spent the evening at the house of Mr. B. The vacation ended, she returned to Waterford and remained another quarter, at the end of which her grandfather came for her. The term had closed on Friday; but she prevailed upon the old gentleman to remain until Monday, and again until Tuesday. But on Tuesday morning, the bird had flown, and her grandfather returned without her. The whole family were alarmed and excited upon the occasion, and the more so, since no one knew of any individual with whom she could have cultivated sufficient intimacy to lead to an elopement. This remark was one day made by her aunt, in the presence of her neighbor, Mrs. B. to whom she observed, that during the vacation Elsie had visited no house but her's; though Elsie, it was true, had gone out every evening. This led to an explanation, in which it appeared that Elsie had been at the house of Mr. B. but a few moments each evening, and that the remainder of the time, until the hour of prayer, had been spent in the house of their intermediate neighbor, the brother of the deceased, where the lovers had been allowed to enjoy each other's society alone. John Whipple, the deceased, was then a man without property—he worked as a common hand on board his brother's sloop, for which he received ten dollars per month. How this courtship began is not known. That the marriage of Elsie could not have been acceptable to her friends, will certainly not be surprising when it is considered that she was but a child, being then only fourteen years and five months old—that she had married a man without property or standing, and that she had in doing so, shown a total disregard to the wishes of her relatives.—Both Whipple and herself were for a long time exiled from the family. Her father died; and, to aggravate the breach, Whipple filed a bill in chancery against Elsie's grandfather, in relation to some part of the property which he had given his son, and from whom it fell to her. The kind old man could never forgive this act, and to the day of his death, which happened a short time after, he never saw either his grand daughter or her husband. Time, at length, eradicated much of the feeling which this precipitate match had excited. The deed had been done, and could not be undone. Whipple proved a good husband, and an enterprising man; he was careful of his wife's property, tender of her person, and always solicitous with regard to her health. She wanted intellect and education, and he seemed to look upon her as a child, who needed kindness and care, rather than as a woman arrived at the full possession of her intellect. Many instances of tenderness on the part of her husband, were related to me. That Mrs. W. was frail, no one denied; and it may be fairly argued that her frailty was not unknown to her husband.

After leaving the house, I went to the spot where the rifle was hidden in the mud, at the bottom of a ravine; and the tree was pointed out, against which Strang made experiments in firing at glass, to ascertain whether a bullet would glance in striking it. Altogether, my visit to this spot was productive of solemn and painful feelings—such as must always possess us, after looking upon the scene in which the life of a human being, with all his imperfections on his head, was taken away to gratify the fierce passions which, in every age, have disturbed the peace of mankind.

Document 10

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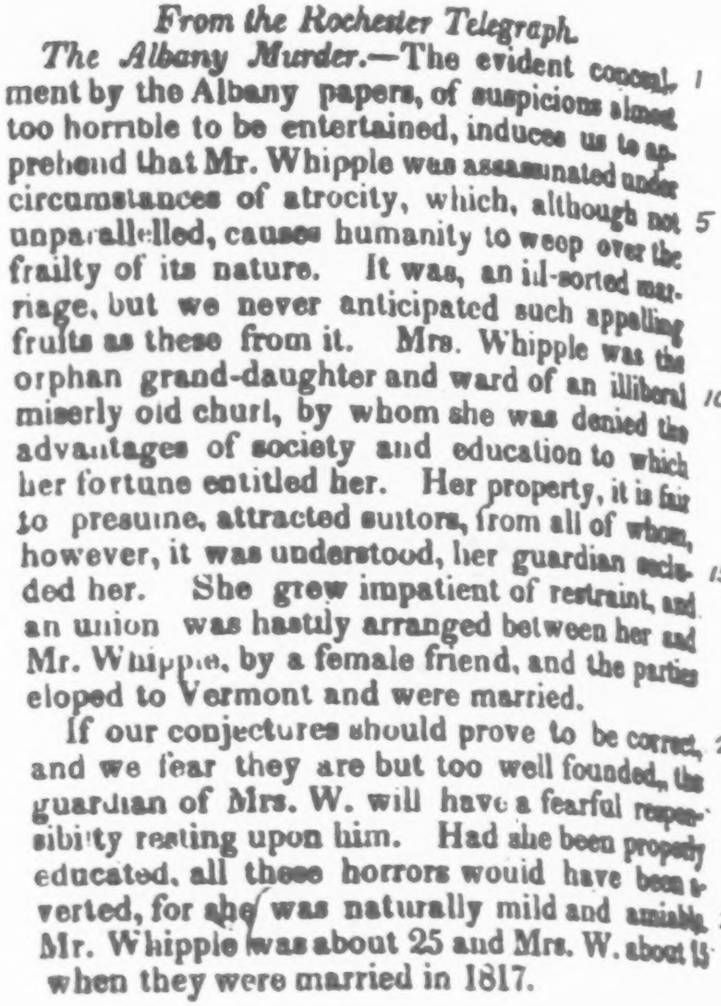
Information Sheet G

New York Commercial Advertiser
May 23, 1827



From the Rochester Telegraph.

The Albany Murder.—The evident concealment by the Albany papers, of suspicions almost too horrible to be entertained, induces us to apprehend that Mr. Whipple was assassinated under circumstances of atrocity, which, although not unparalleled, causes humanity to weep over the frailty of its nature. It was, an ill-sorted marriage, but we never anticipated such appalling fruits as these from it. Mrs. Whipple was the orphan grand-daughter and ward of an illiberal miserly old churl, by whom she was denied the advantages of society and education to which her fortune entitled her. Her property, it is fair to presume, attracted suitors, from all of whom, however, it was understood, her guardian secluded her. She grew impatient of restraint, and an union was hastily arranged between her and Mr. Whipple, by a female friend, and the parties eloped to Vermont and were married.

If our conjectures should prove to be correct, and we fear they are but too well founded, the guardian of Mrs. W. will have a fearful responsibility resting upon him. Had she been properly educated, all these horrors would have been averted, for she was naturally mild and amiable. Mr. Whipple was about 25 and Mrs. W. about 15 when they were married in 1817.

Document 11

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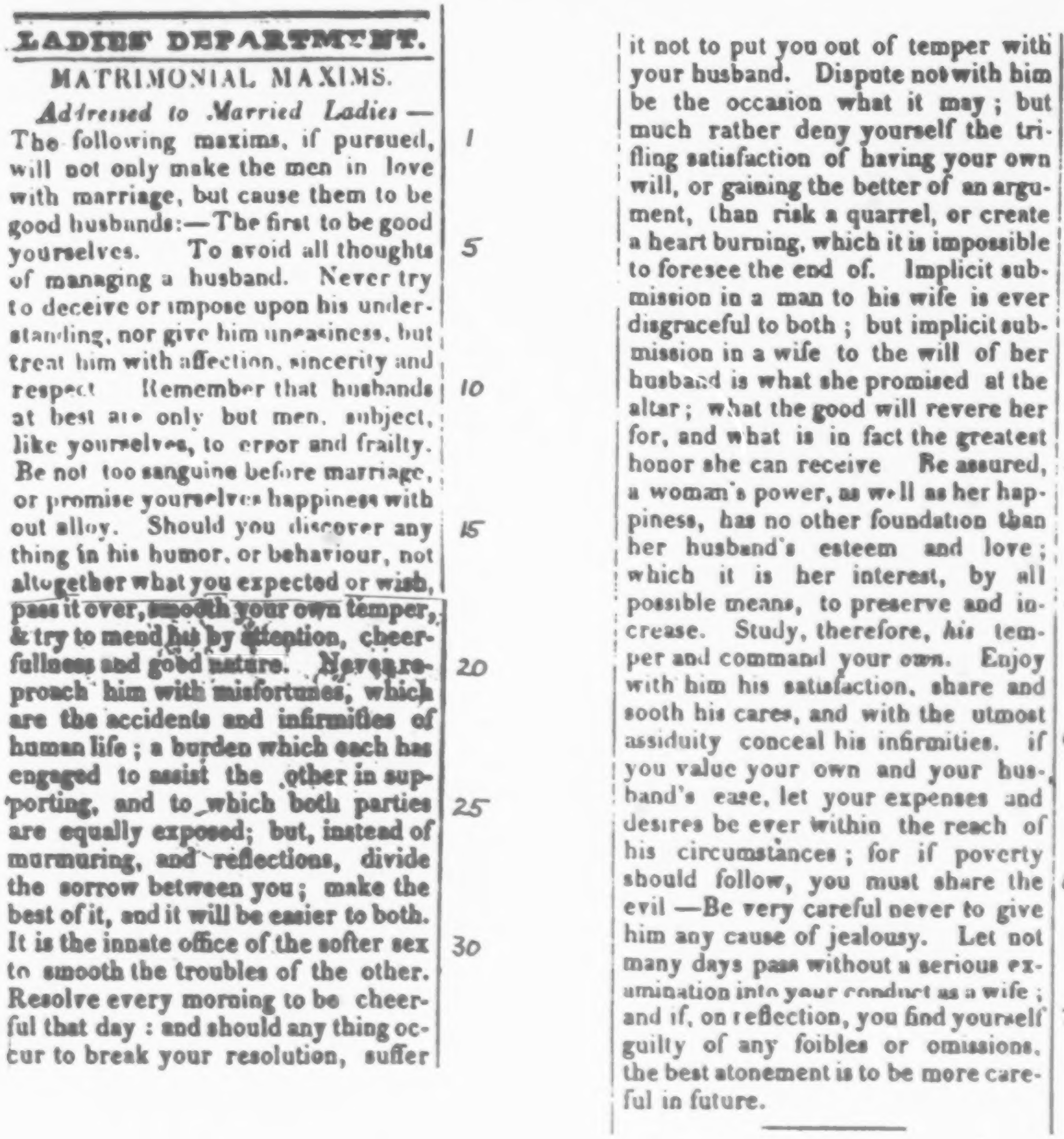
The Standard
July 12, 1827



LADIES' DEPARTMENT.

MATRIMONIAL MAXIMS.

Addressed to Married Ladies — The following maxims, if pursued, will not only make the men in love with marriage, but cause them to be good husbands:—The first to be good yourselves. To avoid all thoughts of managing a husband. Never try to deceive or impose upon his understanding, nor give him uneasiness, but treat him with affection, sincerity and respect Remember that husbands at best are only but men, subject, like yourselves, to error and frailty. Be not too sanguine before marriage, or promise yourselves happiness without alloy. Should you discover any thing in his humor, or behaviour, not altogether what you expected or wish, pass it over, smooth your own temper, & try to mend his by attention, cheerfullness and good nature. Never reproach him with misfortunes, which are the accidents and infirmities of human life; a burden which each has engaged to assist the other in supporting, and to which both parties are equally exposed; but, instead of murmuring, and reflections, divide the sorrow between you; make the best of it, and it will be easier to both. It is the innate office of the softer sex to smooth the troubles of the other. Resolve every morning to be cheerful that day : and should any thing occur to break your resolution, suffer it not to put you out of temper with your husband. Dispute not with him be the occasion what it may; but much rather deny yourself the trifling satisfaction of having your own will, or gaining the better of an argument, than risk a quarrel, or create a heart burning, which it is impossible to foresee the end of. Implicit submission in a man to his wife is ever disgraceful to both; but implicit submission in a wife to the will of her husband is what she promised at the altar; what the good will revere her for, and what is in fact the greatest honor she can receive Be assured, a woman's power, as well as her happiness, has no other foundation than her husband's esteem and love; which it is her interest, by all possible means, to preserve and increase. Study, therefore, *his* temper and command your *own*. Enjoy with him his satisfaction, share and sooth his cares, and with the utmost assiduity conceal his infirmities. if you value your own and your husband's ease, let your expenses and desires be ever within the reach of his circumstances; for if poverty should follow, you must share the evil —Be very careful never to give him any cause of jealousy. Let not many days pass without a serious examination into your conduct as a wife; and if, on reflection, you find yourself guilty of any foibles or omissions, the best atonement is to be more careful in future.

Document 12

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Information Sheet H

LEGAL RIGHTS OF WOMEN IN NEW YORK STATE

EARLY NINETEENTH CENTURY*	TODAY
Women couldn't vote.	Women can vote (since 1920).
Women couldn't be on a jury.	Women can be on all types of juries: in local, state and federal courts.
Women couldn't be elected to or hold political offices.	Women can be elected to and hold political offices.
Upon marriage, a wife's property and money belonged to her husband. He controlled the management of her property.	Upon marriage, a wife's property and money is hers to use as she wishes (since 1848).
A wife couldn't sell her own property without her husband's consent. Nor could a husband sell the property his wife brought into their marriage without her consent. But he could use it or its earnings as he saw fit.	A wife can sell her own property as she wishes (since 1848).
If a wife earned wages, those wages belonged to her husband.	A wife's wages belongs to her (since 1860).
A wife couldn't sue on her own.	A wife can sue on her own (since 1860).
A wife and husband could only divorce each other on the grounds of adultery.	There are six grounds for divorce: cruel and inhuman treatment; imprisonment for three years; adultery; abandonment for one year; a one year separation under a Separation Agreement; a one year court ordered separation.

Cont.

EARLY NINETEENTH CENTURY*	TODAY
If a wife was found to be an adulteress, her husband didn't need to provide alimony. If a wife left her husband and was unable to prove grounds for divorce, she was entitled to nothing and her husband got custody of their children.	If a wife is found to be an adulteress, or if she leaves her husband, it will not affect the division of property and money. The "best parent"-- mother, father or even grandparent -- gets custody of children. In the majority of cases, the mother still gets custody.
A wife couldn't make a will without her husband's consent. The husband's will often left his money and property in trust for support of his wife and children. A widow often had no direct control of the family property. A wife could lose custody of her children by her husband's will.	A wife can make her own will as she wishes. Today it is more likely that she has direct control and inherits all property and money. Custody of children is not determined by a will.

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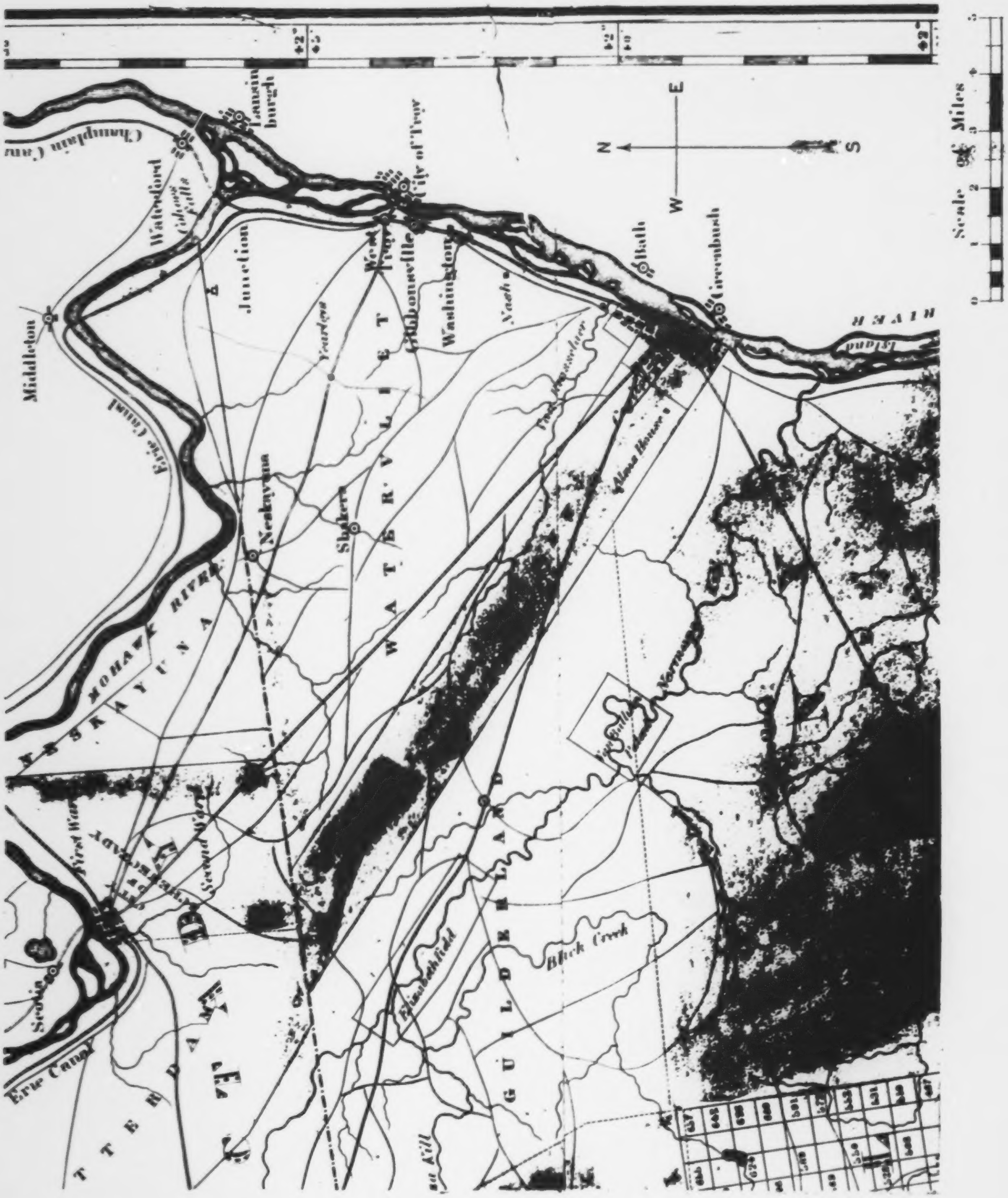
*Norma Basch, In the Eyes of the Law: Married Women's Property Rights in Nineteenth-Century New York (Ph.D. dissertation, New York University, June 1979)

Information Sheet I

1829 BURR MAP OF ALBANY AND SCHENECTADY COUNTIES


Champlain Canal
Lansingburgh
Waterford
Cohoes Falls
Junction
West Troy
City of Troy
Gibbonsville
Washington
Bath
Greenbush
Middleton
Erie Canal
Niskayuna
Mohawk River
Watervliet
Shakers
Schenectady
Guilderland
Black Creek
Normanskill
Albany
River
N
E
S
W
Scale of Miles

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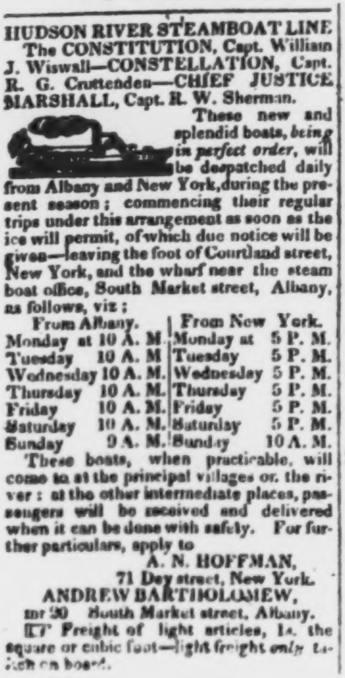
Information Sheet J

TRANSPORTATION IN THE 1820s

Albany Daily Advertiser
May 29, 1827



HUDSON RIVER STEAMBOAT LINE

The CONSTITUTION, Capt. William J. Wiswall—CONSTELLATION, Capt. R. G. Cruttenden—CHIEF JUSTICE MARSHALL, Capt. R. W. Sherman.

These new and splendid boats, *being in perfect order*, will be despatched daily from Albany and New York, during the present season; commencing their regular trips under this arrangement as soon as the ice will permit, of which due notice will be given—leaving the foot of Courtland street, New York, and the wharf near the steam boat office, South Market street, Albany, as follows, viz;

From Albany.		From New York.	
Monday at	10 A. M.	Monday at	5 P. M.
Tuesday	10 A. M	Tuesday	5 P. M.
Wednesday	10 A. M.	Wednesday	5 P. M.
Thursday	10 A. M.	Thursday	5 P. M.
Friday	10 A. M.	Friday	5 P. M.
Saturday	10 A. M.	Saturday	5 P. M.
Sunday	9 A. M.	Sunday	10 A. M.

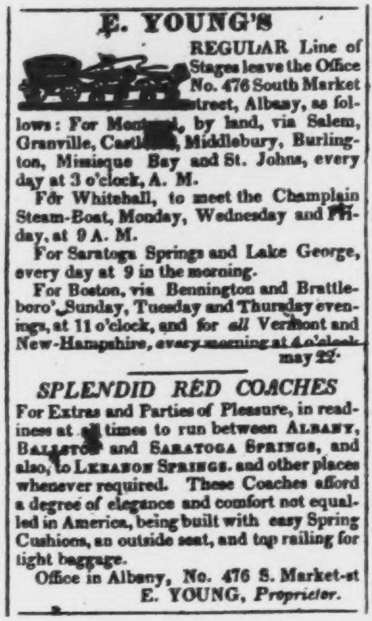
These boats, when practicable, will come to at the principal villages on the river: at the other intermediate places, passengers will be received and delivered when it can be done with safety. For further particulars, apply to

A. N. HOFFMAN,
71 Dey street, New York.
ANDREW BARTHOLOMEW,
mr 20 South Market street, Albany.

☞ Freight of light articles, 1s. the square or cubic foot—light freight *only* taken on board.

Document 14

The Standard
August 16, 1827



E. YOUNG'S

REGULAR Line of Stages leave the Office No. 476 South Market street, Albany, as follows: For Mon[illegible], by land, via Salem, Granville, Castl[illegible], Middlebury, Burlington, Missisque Bay and St. Johns, every day at 3 o'clock, A. M.

For Whitehall, to meet the Champlain Steam-Boat, Monday, Wednesday and Friday, at 9 A. M.

For Saratoga Springs and Lake George, every day at 9 in the morning.

For Boston, via Bennington and Brattleboro', Sunday, Tuesday and Thursday evenings, at 11 o'clock, and for *all* Vermont and New-Hampshire, *every morning at 4 o'clock.*

may 22

SPLENDID RED COACHES

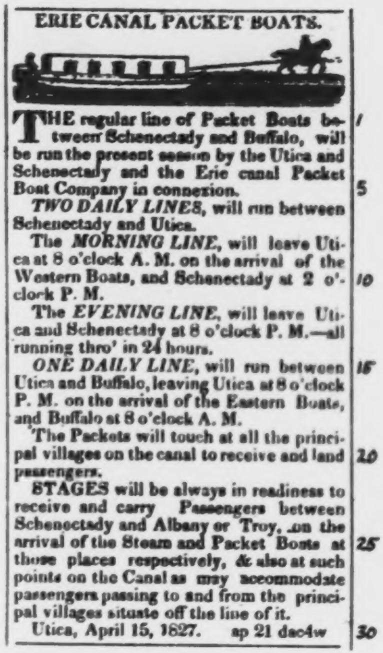
For Extras and Parties of Pleasure, in readiness at all times to run between ALBANY, BALLSTON and SARATOGA SPRINGS, and also, to LEBANON SPRINGS, and other places whenever required. These Coaches afford a degree of elegance and comfort not equalled in America, being built with easy Spring Cushions, an outside seat, and top railing for light baggage.

Office in Albany, No. 476 S. Market-st

E. YOUNG, *Proprietor.*

Document 15

Albany Daily Advertiser
May 23, 1827



ERIE CANAL PACKET BOATS.

THE regular line of Packet Boats between Schenectady and Buffalo, will be run the present season by the Utica and Schenectady and the Erie canal Packet Boat Company in connexion.

TWO DAILY LINES, will run between Schenectady and Utica.

The *MORNING LINE*, will leave Utica at 8 o'clock A. M. on the arrival of the Western Boats, and Schenectady at 2 o'clock P. M.

The *EVENING LINE*, will leave Utica and Schenectady at 8 o'clock P. M.—all running thro' in 24 hours.

ONE DAILY LINE, will run between Utica and Buffalo, leaving Utica at 8 o'clock P. M. on the arrival of the Eastern Boats, and Buffalo at 8 o'clock A. M.

The Packets will touch at all the principal villages on the canal to receive and land passengers.

STAGES will be always in readiness to receive and carry Passengers between Schenectady and Albany or Troy, on the arrival of the Steam and Packet Boats at those places respectively, & also at such points on the Canal as may accommodate passengers passing to and from the principal villages situate off the line of it.

Utica, April 15, 1827. ap 21 dac4w

Document 16

Albany Daily Advertiser
May 26, 1827

From the Poughkeepsie Journal.

Steam-Boat Race.—We understand there was a warmly contested race last Friday night between the steam boats Sun and Sandusky. Large bets are said to have been made by the owners, officers, hands and partizans, of the respective boats. The thing had been so managed, that but few, if any, of the passengers were apprized of the intended race, until the very moment the boats were pushing off from the wharf, and when it was too late for them to go on shore. Nor was it, as we are informed, merely a trial of speed, in which the breaking of machinery and bursting of boilers from an overcharge of steam were alone to be apprehended; one of the boats is charged with attempting to run the other ashore; and with other foul practices to impede her progress. By this gross misconduct, the two boats were repeatedly brought in close contact, and the small boat of the Sun was crushed to atoms. That no time might be lost in landing way passengers, they were sent on shore in the small boat, with a line and without stopping the wheels of the steam boats, in open violation of the law, and to the great danger of the lives of all concerned.

The public may form some judgment of the utter recklessness which prevails in these races, for every thing but *to win the race*, when we add, that the hands on board the boats are concerned in betting, and when those having bets pending, do not hesitate to declare, as was done in this case, that *they had rather the boat should be blown up than beat.*

This steam boat racing has become an alarming evil. And as the two boats engaged on the above occasion, have run repeated races before, and it may fairly be presumed will do the like again, we have deemed it our duty to apprise the public of the fact.

Those who travel in steam boats possess a ready means in putting an end to this growing and dangerous nuisance. It is by refusing to entrust their lives in the hands of men who show themselves so utterly regardles of their comfort and safety.

Document 17

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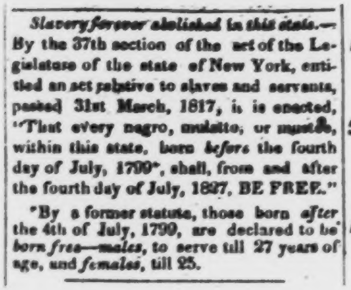
Information Sheet K

SLAVERY IN NEW YORK

The Albany Gazette
July 3, 1827

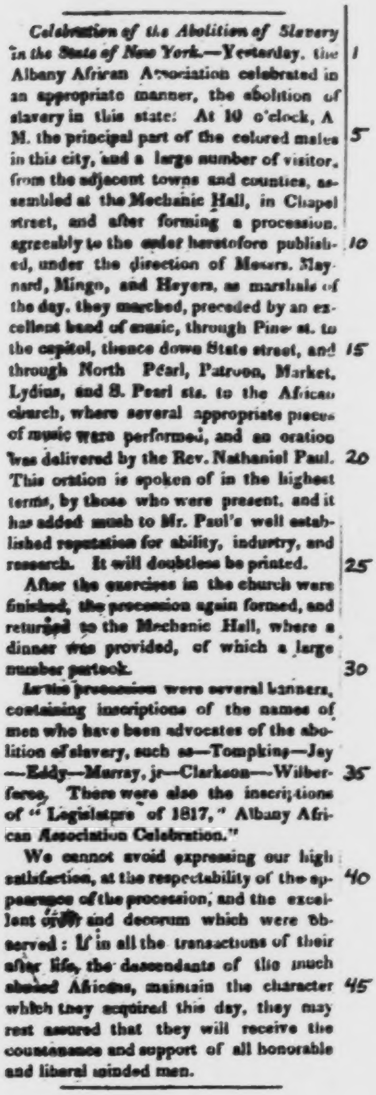


Slavery forever abolished in this state.—By the 37th section of the act of the Legislature of the state of New York, entitled an act relative to slaves and servants, passed 31st March, 1817, it is enacted, "That every negro, mulatto, or mustee, within this state, born *before* the fourth day of July, 1799*, shall, from and after the fourth day of July, 1827, BE FREE."

*By a former statute, those born *after* the 4th of July, 1799, are declared to be *born free—males*, to serve till 27 years of age, and *females*, till 25.

Document 18

The Albany Gazette
July 10, 1827



Celebration of the Abolition of Slavery in the State of New York.—Yesterday, the Albany African Association celebrated in an appropriate manner, the abolition of slavery in this state: At 10 o'clock, A. M. the principal part of the colored males in this city, and a large number of visitors from the adjacent towns and counties, assembled at the Mechanic Hall, in Chapel street, and after forming a procession, agreeably to the order heretofore published, under the direction of Messrs. Maynard, Mingo, and Heyers, as marshals of the day, they marched, preceded by an excellent band of music, through Pine st. to the capitol, thence down State street, and through North Pearl, Patroon, Market, Lydius, and S. Pearl sts. to the African church, where several appropriate pieces of music were performed, and an oration was delivered by the Rev. Nathaniel Paul. This oration is spoken of in the highest terms, by those who were present, and it has added much to Mr. Paul's well established reputation for ability, industry, and research. It will doubtless be printed.

After the exercises in the church were finished, the procession again formed, and returned to the Mechanic Hall, where a dinner was provided, of which a large number partook.

In the procession were several banners, containing inscriptions of the names of men who have been advocates of the abolition of slavery, such as—Tompkins—Jay—Eddy—Murray, jr—Clarkson—Wilberforce. There were also the inscriptions of "Legislature of 1817," Albany African Association Celebration."

We cannot avoid expressing our high satisfaction, at the respectability of the appearance of the procession, and the excellent order and decorum which were observed: If in all the transactions of their after life, the descendants of the much abused Africans, maintain the character which they acquired this day, they may rest assured that they will receive the countenance and support of all honorable and liberal minded men.

Document 19

Cont.

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The Comet
August 4, 1827

COLOURED POPULATION.

We were as much amused as we were edified, in perusing the *speculations* of the New-York "Saturday Evening Gazette," a few weeks since, on what *might* be the future "condition of the negro population of the U. S." We agree with the editors of that journal, that the blacks can never "enjoy *power* in common with the white population;" that they will not be put upon an equality in the division or exercise of power and privileges: And we believe, with them, that there will be no "*amalgamation of the colour*" of the two races; no intermarriages; and that there will probably be no abatement or eradication of the "prejudices which have had so long an existence, and which form a constituent part of the habitual sentiments of the nation."

As much as we commiserate the unfortunate condition of the blacks, we could not be induced to share with them the honours of the government: and it must be evident that such a project, even if contemplated, could never succeed in this country. If it were attempted, it would excite such indignation and commotion, as would shake our government and institutions to their very centre. The habits and education of the white and black population are essentially different—their pursuits are different; and none of these could be brought to correspond:—they are, in fact, two distinct orders of beings; and there is that visible distinction between them in every thing that denotes the transcendency of the human intellect, which will not permit an "amalgamation" of the two races, nor the equal division of the "common power" of the country. And so long as the pride and education of man prompt him to feelings of *superiority*, so long will the blacks be denied a full participation in the affairs of the government, and all attempts to create a reciprocal intercourse, and to "cultivate the inter-social spirit," rejected. We would not commingle our blood with theirs: It would be departing so far from the usages of society; it would be so incompatible with our sense of honour and of what is due to self-respect; and it would be so revolting to the polished and sensitive mind, that we could not be capable, under any circumstances, of taking such a step.

But whatever may hereafter be their political or physical power, or their views, we have nothing to apprehend. We are of the opinion, nevertheless, that such provision ought to be made as would enable them, if they desired, to leave this country, or some measure devised that would tend to advance their welfare. *Here* they can never arrive at any advancement; nor can they acquire or maintain any show of respect or interchange of civilities, except such only as their misfortunes and condition are calculated to call forth. They are looked upon as inferior beings; but as they can never, "from the prejudices which have had so long an existence," be allowed to divide or sustain the honours of the government—and as they can never be admitted as a constituent part of the nation—they demand our efforts in smoothing the thorny path of misfortune and calamity, and they demand, and reason demands, our aid in promoting their good and in lessening the horrors of slavery. They are an oppressed—an abused—and an injured race. They have been degraded by the oppression and cruelty of their white brethren, and they have been subjected to bondage by the tyranny of unfeeling and mercenary men.

In this state, they have in some measure been peculiarly fortunate. Their freedom has been easily obtained: but there are other states in the Union in which a long period must yet witness their servitude. *From* our hearts we pity them. But whatever philanthropy can suggest for the promotion of their happiness and the improvement of their condition, will undoubtedly be effected, if not now, hereafter. We can not wish more for them than that they may become as happy and as intelligent, as they have been heretofore unfortunate and ignorant; and that they may become as great, in all respects, as they have been depressed and degraded.

Document 20

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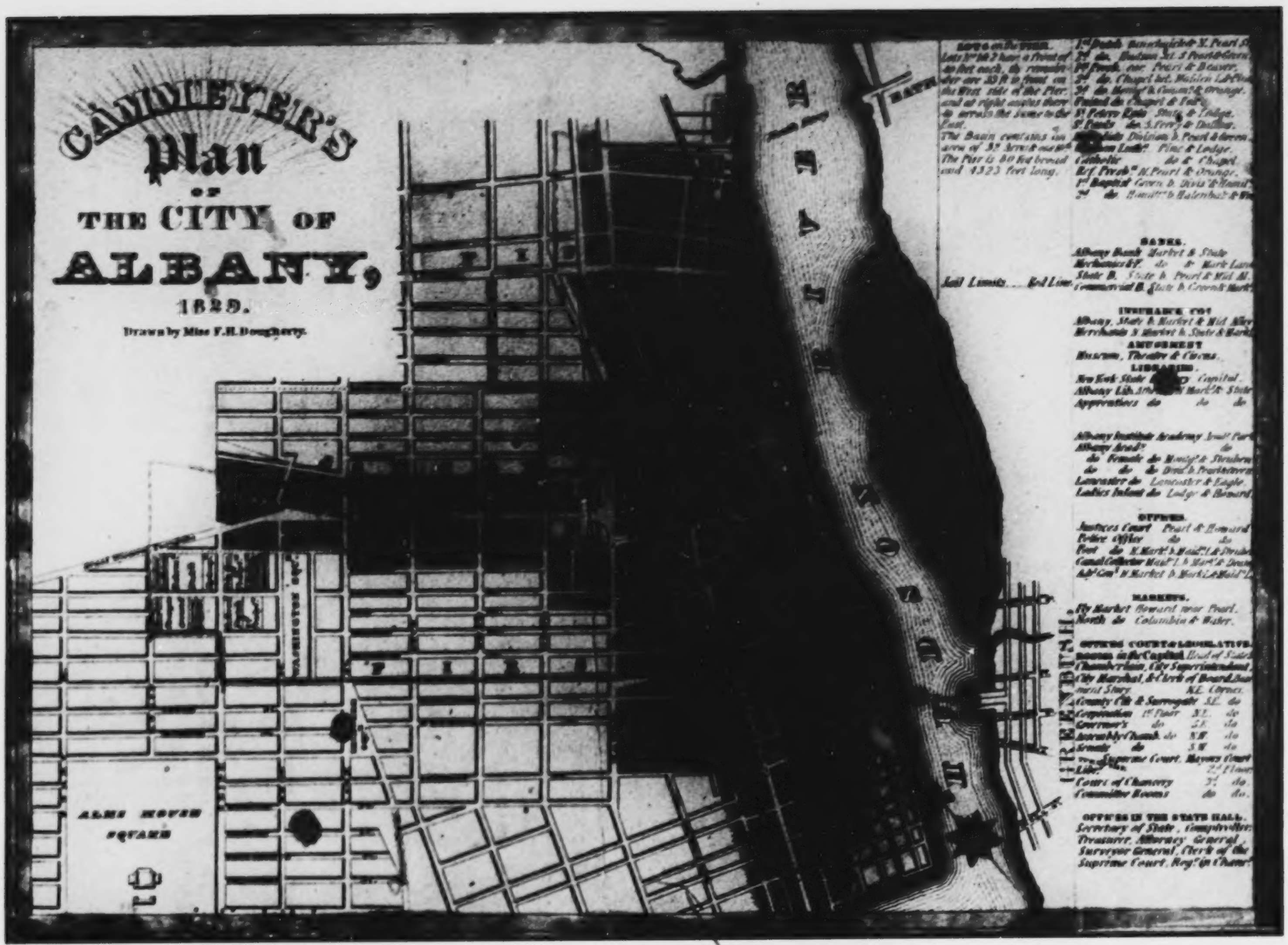
CAMMEYER'S
Plan
OF
THE CITY OF
ALBANY,
1829.
Drawn by Miss F.H. Dougherty.
ALMS HOUSE
SQUARE
HUDSON RIVER
The Basin contains an area of 32 Acres & one 8th. The Pier is 80 feet broad and 4323 feet long.
Jail Limits.... Red Line.
BANKS.
Albany Bank Market & State
INSURANCE CO'S
AMUSEMENT
Museum, Theatre & Circus.
LIBRARIES.
OFFICES.
Justices Court Pearl & Howard
Police Office do do
MARKETS.
Fly Market Howard near Pearl.
North do Columbia & Water.
County Clk & Surrogate S.E. do
Court of Chancery 3d do.
Committee Rooms do do.
OFFICES IN THE STATE HALL.
Secretary of State, Comptroller, Treasurer, Attorney General, Surveyor General, Clerk of the Supreme Court, Reg.r in Chancery

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Name ______________________

Student Worksheet 1

CHERRY HILL HOUSEHOLD

Use the Confession, summary paragraphs 4 and 5 on the left, to identify the following people:

These people lived on the NORTH side of the house.

1. She was an older woman who was Philip P. Van Rensselaer's mother.

2. She was the grown daughter of the woman above.

3. He was the grown son of the woman in question 1.

These people lived on the SOUTH side of the house.

4. He was the head of the household.

5. She was his wife and Elsie's aunt.
(Use Information Sheet B)

6. He was their 22 year old son.

7. These 3 girls were the daughters of the head of the household and his wife:

______________________, age 18 or 19

______________________, age 11

______________________, age 8 (Use Information Sheet B)

8. This young woman was related to the Van Rensselaers and was a boarder with her husband.

Cont.

9. This was the name of the young woman's husband. Strang refers to him as "unfortunate."

These people also lived in the household with the family:

10. This woman was a slave, about 50 years old.

11. She was 10 years old.

12. This man was a hired laborer.

13. This person was 18 or 19 years old. He ran away in October.

14. How many people lived at Cherry Hill in August, 1826, when Strang was hired?

15. List the people you have identified on this worksheet in their correct category below:

Family & Relatives	Hired Help	Slave/Born-to-Service

Name____________________

Student Worksheet 2

JESSE STRANG

Use the Confession summary paragraphs 2, 3, 4, 7 and 13 on the left to answer the following questions:

1. Where did Strang plan to go when he first arrived in the area?

2. Why did he come to Albany?

3. By what name was Strang known at Cherry Hill?

4. Why was Strang given the nickname of "Doctor"?

5. What was his wage for one month?

6. List two chores Strang performed as a farm hand.

Use Information Sheet D to answer questions 7-11 below.
Read the Albany Daily Advertiser article, document 7, to answer these questions:

7. Why did people believe that Jesse Strang had been robbed and murdered?

8. Why did Jesse Strang say he had faked his disappearance?

9. Why do you think he didn't mention any of this in the Confession?

Read The New York American article, document 8, to answer these questions:

10. Briefly, how did the newspaper reporter describe Strang's appearance and dress?

Cont.

11. How old did this reporter say Strang was?

Use Information Sheet E.

Read the Albany Argus article, document 9, to answer the following:

12. In this article, Judge Duer says Strang is about __________ years old.

13. The Judge says Strang used a false and assumed name. What else did Strang lie about?

14. Why do you think Strang didn't mention this fact in the Confession?

Section 2
Setting the Stage

Name____________________

Student Worksheet 3

ELSIE WHIPPLE

Use Information Sheet F to answer the following questions:

1. The New-York American article, document 10, expresses the point of view of which Cherry Hill family member? (She was called "the Informant" which meant she was interviewed by the reporter.)

2. How does the informant describe Elsie Whipple's mother in line 10?

3. What happened to Elsie's parents?

4. Who later took care of Elsie?

5. According to the informant, what didn't Elsie like to do?

6. According to this article, where did Elsie attend school?
   2 places: ____________________ and ______________________

7. According to the informant, why was the family upset that Elsie had married John Whipple?

8. What adjective did the informant use in line 79 to describe Elsie's grandfather, "the old man"?
   Is this fact or opinion?

9. According to this article, how did John Whippple look upon, or view, his wife Elsie?

Use Information Sheet G.
Read the New York Commercial Advertiser article, document 11, and complete these questions:

10. How is Elsie's grandfather, Abraham Lansing, described in this article?

    Is this fact or opinion?

Cont.

11. According to this article, who did her grandfather (her guardian) keep her from?

12. According to this reporter, who arranged the meeting between Elsie Lansing and John Whipple?

13. What two adjectives are used to describe Elsie's character in line 25?

Read the Standard article, document 12, and complete these questions:

14. This article says the following: (Circle the correct answer.)

    a. It is disgraceful to both a man and his wife if he is submissive. TRUE or FALSE

    b. A wife should be submissive to the will of her husband. TRUE or FALSE

    c. A husband's happiness is based on his wife's esteem and love for him. TRUE or FALSE

    d. A husband should be very careful not to make his wife jealous. TRUE or FALSE

    e. A woman's duty (innate office) is to smooth the troubles of others. TRUE or FALSE

Use the Confession, paragraph 3, to answer questions 15 and 16.

15. What three adjectives does Strang use to describe Elsie in the beginning of paragraph 3? (Look at the original on the right, not the summary.)

Cont.

Student Worksheet 3 Cont.

16. Why was Strang surprised she was a married woman?

17. Today, would we consider Elsie's flirtatious behavior at Bates' barroom to be as inappropriate as people did in 1827?

Name______________________

Student Worksheet 4

JOHN WHIPPLE

Use the Confession, paragraph 4, to answer the following questions:

1. John and Elsie Whipple were staying at Cherry Hill as________________. This word means someone who pays for meals or room and meals.

Use an encyclopedia or your textbook on New York State history to answer the following questions:

2. John Whipple was a contractor working on a canal which extended from Pennsylvania through New York State. It ended near Kingston, New York, on the Hudson River. What was the name of the canal?

   Why was it built?

   How long was it compared to the Erie Canal?

Use Information Sheet F. Read the article from the New-York American, document 10.

3. Who did the reporter interview at Cherry Hill? (This person is referred to as the "informant.")
4. According to this article, what was John Whipple's occupation when he first met Elsie?
5. What was his wage?
6. What did the informant say that John Whipple did after his marriage, that further angered Elsie's grandfather, Abraham A. Lansing? (lines 75-79)
7. The informant said John Whipple was a good husband and an enterprising man. (circle one) TRUE or FALSE

Cont.

Student Worksheet 4 Cont.

Use Information Sheet G

Read the New York Commercial Advertiser article, document 11, in order to answer the following questions:

8. How did this article describe John's and Elsie's marriage? (Write the adjective.)

9. This article states that John Whipple was about _________ years old in 1817 when he married Elsie. If John was born on August 13, 1793, what was his actual age upon marriage?

Name____________________

Student Worksheet 5

TIME LINE OF EVENTS LEADING TO THE MURDER

- ACCORDING TO JESSE STRANG -

1826

1) Aug. 10
2) Aug. 28
3) Evening Oct. 20
4) Oct. 21 or 22
5) Nov. 21
6) March 1

1827

7) End of March
8) April 14
9) April 21 or 22
10) May 2
11) May 6
12) May 7

Name____________________

Student Worksheet 6

ALBANY COUNTY MAP

Use Information Sheet I, the 1829 Burr Map of Albany and Schenectady Counties, to help you answer the following questions:

1. Find Cherry Hill on the map and mark it with an X. It was located about one mile south of the city of Albany and north of the Normans Kill Creek. Cherry Hill was on the west side of Bethlehem Turnpike (now South Pearl Street) which runs parallel to the Hudson River. (Use the scale of miles and the compass on the map to help you.)

2. Find Stephen Van Rensselaer's home which is identified on the map north of Albany. Mark it with an X.
   Who was Stephen Van Rensselaer?
   Use Information Sheet A to help you answer this question.

3. Find the Shaker settlement near Neskayuna (Niskayuna). It was in the town of Watervliet. Mark it with an X. Today, what airport lies near it? Use a modern map, if necessary.

4. Find the most direct road which runs from West Troy (now the city of Watervliet) to Schenectady. Mark it with a pen. It was a major stagecoach road in the 1820s. Today it is called Route ____, and connects Schenectady and Troy. Use a modern map, if necessary.

5. Find the most direct road which runs from Albany to Schenectady. Mark it with a pen. This was also a major stagecoach road. Today, a major route between the two cities is called Route____ or Central Avenue. Use a modern map.

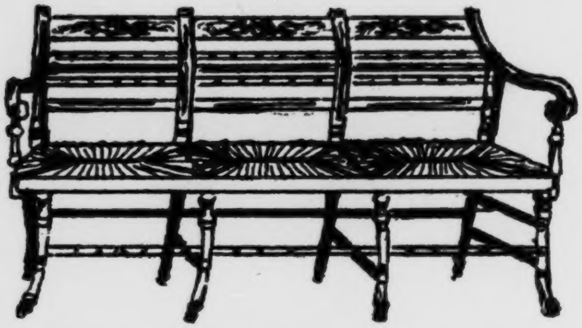
6. Find the route of the Erie Canal along the Mohawk River and mark it with a pen. It also was located along the Hudson River on the west side.

7. The Erie Canal extended from Albany to Buffalo. Find where it entered the city of Albany on this map and mark it with an X.

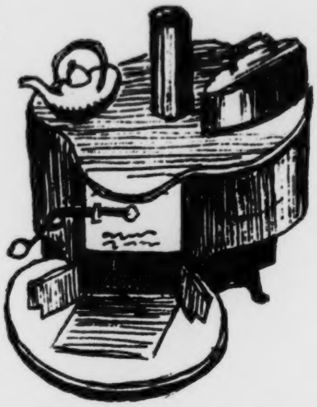
Name____________________

Student Worksheet 7

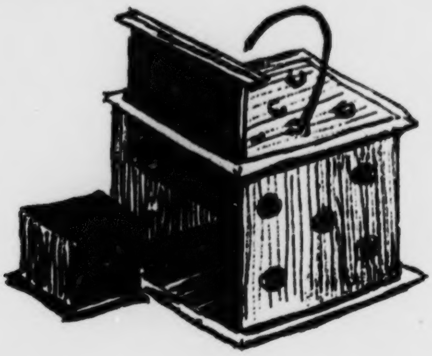
1820s OBJECT SCRAMBLE



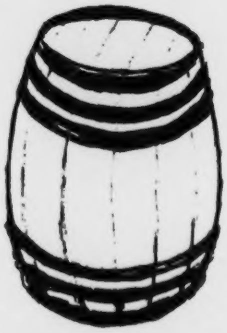
This is a **E S E T E T** ___________. The seat was made out of **S H U R E S** ___________, grass-like plants which grow in marshes.



This is a **T O V E S K O C O** ______________. It was more efficient than a large open **L A P E R F I C E** ________________ used earlier for cooking.

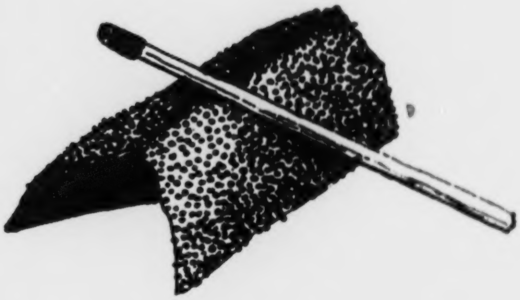


This is a **W R O F E R O T A M** _____________. A metal pan filled with hot coals was put inside. Heat came out of holes on the top and sides. It was used to keep your feet warm.

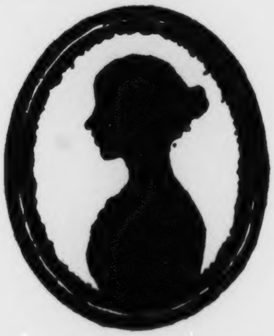


This is a **L E R R A B** ________________. It was used in every home to store food and other supplies. Some could hold almost 200 **S O P U N D**_________ of flour.

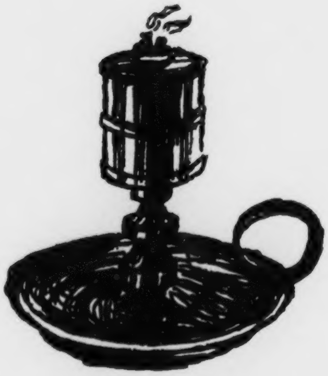
Cont.



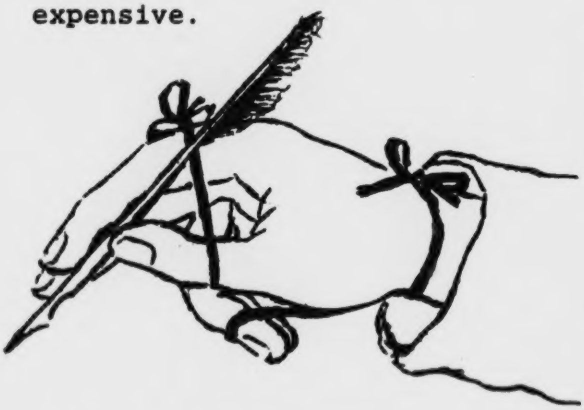
This was a new invention in the 1820s. It is called a **TRIFCION CHATM** (2 words)_________ _______. It was lit by being drawn between a folded piece of sandpaper.



This is a **HOUSILTTEE** ____________. It was a profile portrait cut from black paper and put on a light background. It was popular before the invention of the **MACARE** ____________.



This lamp burned oil from a **LAWHE**__________, a marine animal. Although this fuel provided the brightest light, it was expensive.



This is a **ULLIQ** ___________ pen made from a feather. The hand was bound so that a student would learn the proper **TOOPISIN** ______________ for writing.

Name______________________

Student Worksheet 8

TRANSPORTATION IN THE 1820s

Read the four newspaper articles, documents 14-17, on Information Sheet J to help you complete this worksheet.

1. What three major forms of transportation are mentioned in the documents?

2. Which method of transportation used wood as a fuel?

3. What is mentioned in document 14 that would have prevented boats on the Hudson River and Erie Canal from operating year round?

4. According to the advertisement in the Standard, document 15, what three features made the Splendid Red Coaches more elegant and comfortable than any other stagecoach in America?

5. Why might stagecoaches have been less comfortable to ride in then other forms of transportation?

Use document 17 to answer the questions below:

6. What was the "alarming evil" the newspaper complained about?

7. Why couldn't the passengers go ashore when they found out what was going on?

8. What were the charges against one of the boats?

9. How does the article say that passengers can put an end to this "dangerous nuisance"?

Name____________________

Student Worksheet 9

ALBANY CITY MAP

Use Information Sheet L, Cammeyer's 1829 Plan of the City of Albany, to answer the questions on this worksheet.

1. Find the Erie Canal on this map and mark it with a pen. It is located north of the city near the Hudson River.
2. At what street did the Erie Canal join the Albany Basin?

____

Use the information listed on the right ("References") to answer the questions below:

3. How many acres was the Albany Basin?
4. How broad (wide) and how long was the pier that separated the Albany Basin and the Hudson River?

   What do you think the pier was used for?

5. How many churches does this map list in Albany in 1829?
6. What three amusements does this map list in Albany?
7. How many schools (academies) are listed on this map?
8. The Governor's office was located in the southeast corner of what building?
9. Find the burial grounds which took up four city blocks and outline it with a pen.
10. Find the Alms House Square on the map. What kind of people stayed in an Alms House?

ANSWER KEY TO STUDENT WORKSHEETS

WORKSHEET 1 (Activity 2)

1. Maria Sanders Van Rensselaer
2. Maria Matilda Van Rensselaer
3. Kilian (or Killian) Van Rensselaer
4. Philip P. Van Rensselaer
5. Catharine Lansing Van Rensselaer
6. Abraham Van Rensselaer
7. Maria Van Rensselaer; Elsie Van Rensselaer; Arriete Van Rensselaer
8. Elsie Lansing Whipple
9. John Whipple
10. Dinah Jackson
11. White servant girl
12. William Wilson
13. Jack or George, a black youth. Although he was not a slave, he would have owed service until he was 28 years old (see overview on slavery).
14. 15 people. Later three more people came to Cherry Hill: Henrietta Patrick, John Whipple's niece; George Wilson, another hired man; and Abraham Whipple, the Whipple's son.
15. Family and Relatives: see answers #1-9 above; Hired Help: see answers #11 and 12 above; Slave/Born-to-Service: see answers #10 and 13 above

WORKSHEET 2 (Activity 3)

1. Stillwater (paragraph 2)
2. His trunk had been accidentally sent to Albany and then to New York City. He decided to wait in Albany until his trunk was returned (par. 2). (Compare his loss of baggage to that of travelers on airlines today.)
3. Joseph Orton (par. 13)
4. He wore spectacles (par. 13).
5. $10 (par. 4)
6. Threshing at Otis Bates' (par. 3) and gathering nuts in the orchard at Cherry Hill (par. 7)
7. Lines 3-9
8. Lines 22-26 (forged checks)
9. Jesse Strang was probably trying to present himself in the most favorable light. This information would have damaged his credibility.
10. Lines 17-32

11. Not more than 25 (lines 17-18)
12. 30 (line 8) This was his correct age. Point out that even today newspapers print inaccurate information like the New-York American did in 1827.
13. That he was unmarried (line 10)
14. See answer for #9

WORKSHEET 3 (Activity 3)

1. Catharine Lansing Van Rensselaer, Elsie's aunt and wife of Philip P. Van Rensselaer
2. Indulgent
3. They both died (line 24). The "father" referred to in lines 36 and 39 probably means her grandfather, Abraham A. Lansing. Her own father had died earlier, in 1805.
4. Catharine Lansing Van Rensselaer probably took care of Elsie when she was at Cherry Hill (lines 24-26). Philip P. Van Rensselaer and her grandfather became her legal guardians.
5. Study (lines 12-13)
6. Troy and Waterford (lines 23, 26)
7. Lines 70-73
8. "Kind" (line 79) Remind students that his daughter gave the reporter this description, so her viewpoint is biased.
9. Lines 88-91
10. "Illiberal miserly old churl" (lines 10-11) Opinion.
11. Suitors (line 14)
12. A female friend (line 18). Note that Catharine Lansing Van Rensselaer in the New York-American article said Elsie instigated the relationship.
13. Mild, amiable. Point out how this differs from her aunt's view of her.
14. a) T; b) T; c) F; d) F; e) T
15. Sprightly, playful, giddy
16. Her behavior. See Elsie Whipple's overview to discuss the different expectations for married versus unmarried women.
17. This is open for discussion! However, in 1827 society placed more limitations on married women's behavior.

WORKSHEET 4 (Activity 3)

1. Boarders
2. Delaware and Hudson Canal; to bring anthracite coal from Pennsylvania to eastern markets; D & H Canal was 108 miles long; Erie Canal was 363 miles long
3. Catharine Lansing Van Rensselaer, Elsie's aunt and wife of Philip P. Van Rensselaer

4. A common hand on board his brother's sloop (line 65)
5. Ten dollars a month (line 66)
6. Sued her grandfather, Abraham Lansing, in the Court of Chancery, to gain Elsie's property.
7. True (line 85)
8. Ill-sorted (lines 7-8)
9. 25. He was actually 23 when they were married. John would have turned 24 in August, 1817.

WORKSHEET 5 (Activity 4)

See last page of Answer Key.

WORKSHEET 6 (Activity 7)

1. --------
2. Stephen Van Rensselaer (1764-1839) was the last patroon.
3. Albany Airport
4. Route 7
5. Route 5
6. --------
7. The canal entered the city from the north and ended in the Albany Basin.

WORKSHEET 7 (Activity 8)

1. Settee; rushes
2. Cookstove; fireplace
3. Footwarmer
4. Barrel; pounds
5. Friction match
6. Whale
7. Silhouette; camera
8. Quill; position

WORKSHEET 8 (Activity 9)

1. Steamboat; stagecoach; Erie Canal packet boats
2. Steamboat; mention why a wood shortage occurred in the 1820s

3. Ice
4. Spring Cushions; outside seat; top railing for baggage
5. They gave passengers a rough ride over unpaved roads.
6. Steamboat racing
7. Because they didn't know what was going on until after the boats left the wharf.
8. Attempting to run the other ashore and other foul practices
9. By refusing to ride on steamboats

WORKSHEET 9 (Activity 11)

1. --------
2. Lawrence Street
3. 32 and 1/10th acres
4. 80 feet broad (wide)
   4323 feet long
   Boats primarily used the pier to unload and load cargo and passengers. The pier also provided storage area and dry-dock facilities.
5. 14
6. Museum
   Theatre
   Circus
7. 6
8. Capitol
9. The burial grounds are on the west side of the city; near Washington Square.
10. People too poor to support themselves

ANSWER KEY TO WORKSHEET 5

TIME LINE OF EVENTS LEADING TO THE MURDER

1826

1) Aug. 10 — Jesse first sees Elsie at Bates' bar (par. 3)

2) Aug. 28 — Hired as farm hand at Cherry Hill (par. 4)

3) Evening Oct. 20 — 1st conversation (par. 8)

4) Oct. 21 or 22 — First letter (par. 9)

5) Nov. 21 — Elsie suggested John be killed (par. 23)

6) March 1 — Jesse first buys poison (par. 33)

1827

7) End of March — Jesse asks Dinah to poison Whipple (par. 39)

8) April 14 — Night at Hill's Tavern (par. 48)

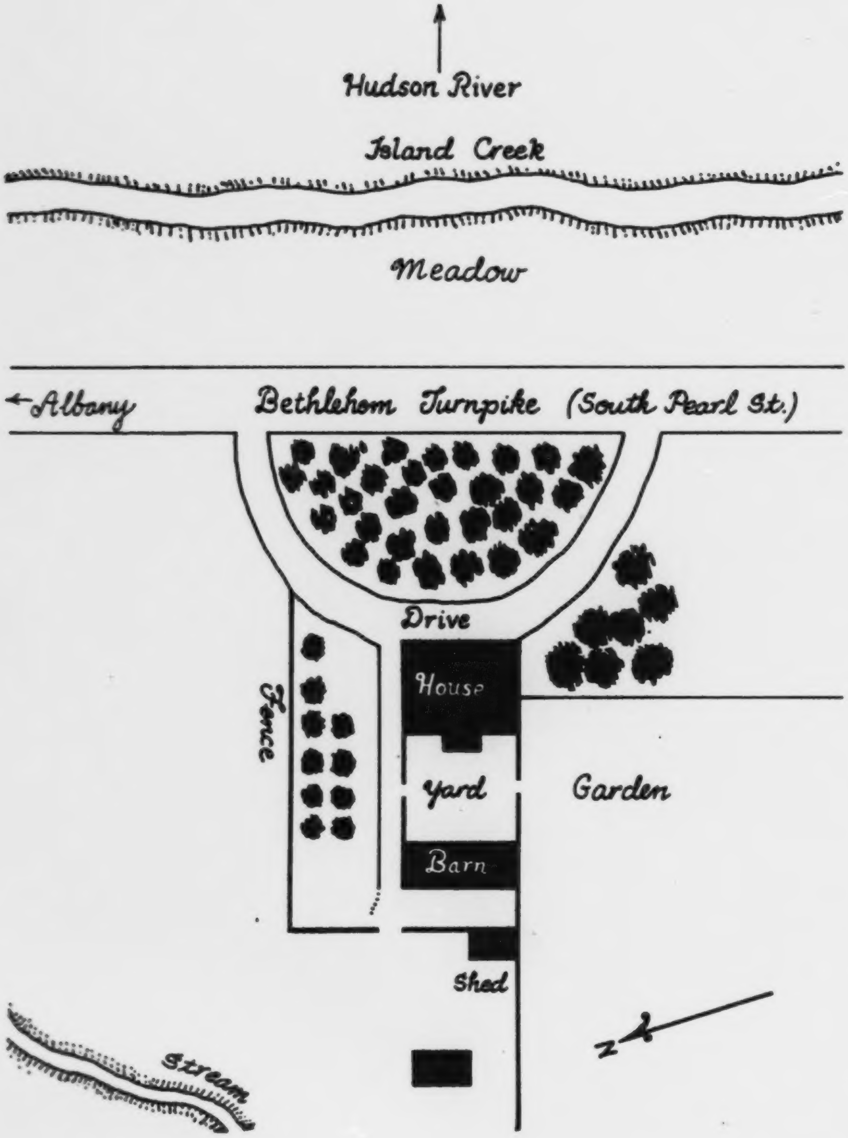
9) April 21 or 22 — Jesse starts prowler rumors (par. 54)

10) May 2 — Jesse buys rifle (par. 55)

11) May 6 — Jesse practices target shooting (par. 60-61)

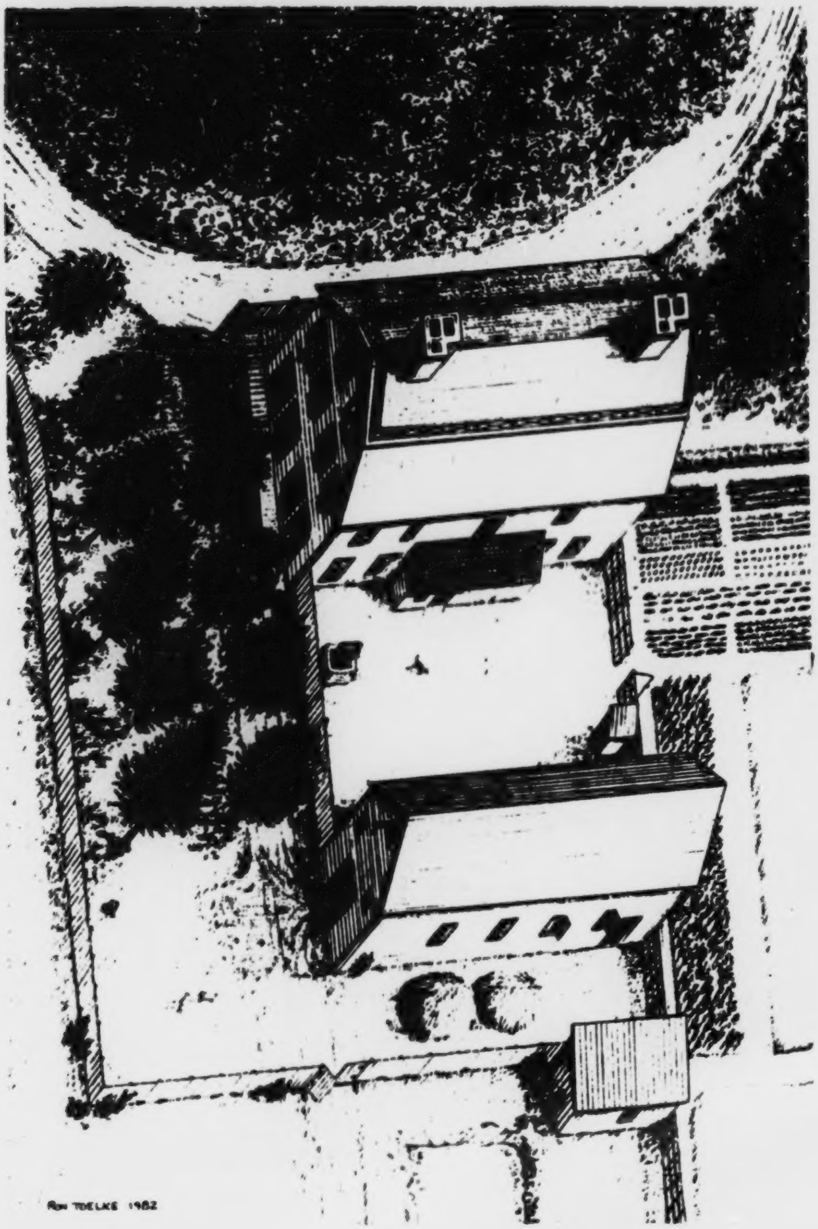
12) May 7 — Whipple murdered (par. 77)

Ground Plan of Cherry Hill, 1826-27


Hudson River
Island Creek
Meadow
←Albany
Bethlehem Turnpike (South Pearl St.)
Drive
House
Fence
Yard
Garden
Barn
Shed
Stream
N

Cherry Hill faces the Hudson River toward the east. The city of Albany is to the north, where the Bethlehem Turnpike becomes South Pearl Street.

Bird's-eye View of Cherry Hill



A yard is between the house and the barn. The Whipples' window overlooks the south (right) end of the shed that runs along the back of the house. A deep ravine and stream (not in the drawing) is to the northwest.

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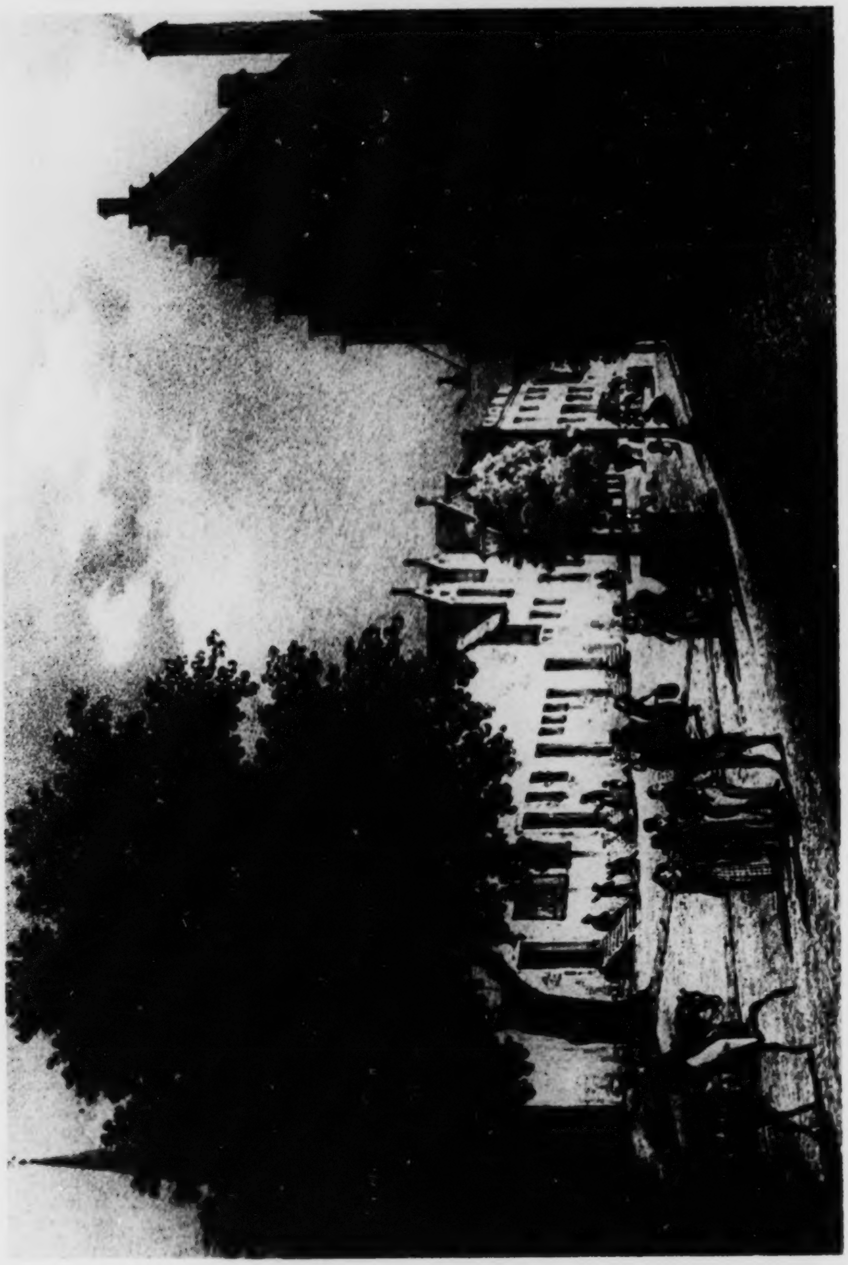
View of Albany in the 1820s



North Pearl and State Streets, Albany
from Jacques Gerard Milbert's
Picturesque Itinerary of the Hudson River, 1828-29
Courtesy: the New York State Library

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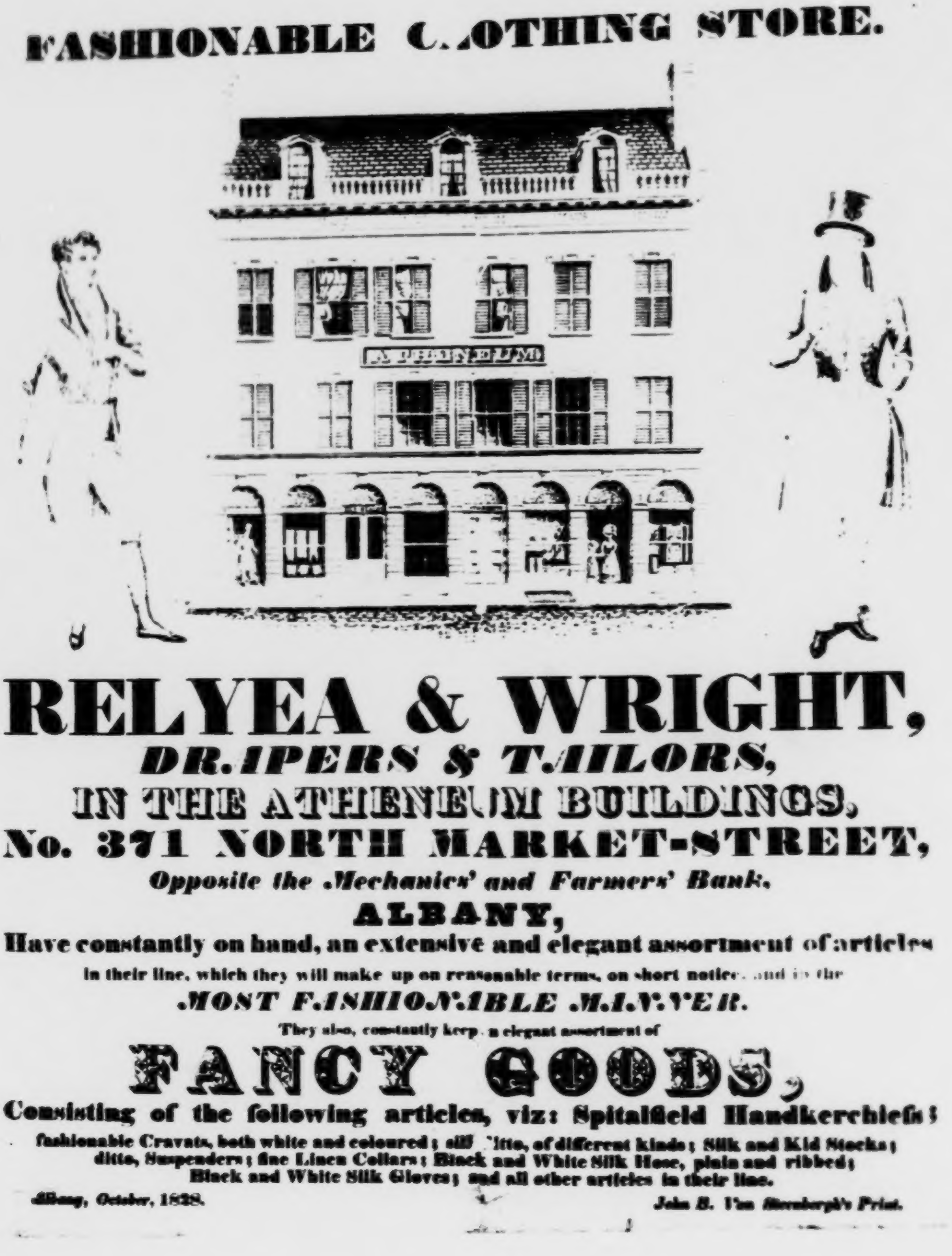
Broadside, 1828



FASHIONABLE CLOTHING STORE.

RELYEA & WRIGHT,
DRAPERS & TAILORS,
IN THE ATHENEUM BUILDINGS,
No. 371 NORTH MARKET-STREET,
Opposite the Mechanics' and Farmers' Bank,
ALBANY,
Have constantly on hand, an extensive and elegant assortment of articles
in their line, which they will make up on reasonable terms, on short notice, and in the
MOST FASHIONABLE MANNER.
They also, constantly keep an elegant assortment of

FANCY GOODS,
Consisting of the following articles, viz: Spitalfield Handkerchiefs;
fashionable Cravats, both white and coloured; silk ditto, of different kinds; Silk and Kid Stocks;
ditto, Suspenders; fine Linen Collars; Black and White Silk Hose, plain and ribbed;
Black and White Silk Gloves; and all other articles in their line.

Albany, October, 1828.

John B. Van Steenbergh's Print.

From the collection of the McKinney Library,
Albany Institute of History and Art

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Jackson Hotel.

WILLIAM JOHNSON,

Corner S. Market and Lydius-streets,

RESPECTFULLY informs the public generally, that he has taken the above stand, where he expects a share of patronage. Nothing shall be wanting on his part, to give satisfaction. Gentlemen travelling in Steam-Boats and Stages, are respectfully invited to call. *May*, 1827.

NEW STORE.

A. COWLES

HAS taken the stand formerly occupied by Curtis De Forest, corner South Market & Lydius, where he has opened a choice assortment of fresh and entire new Groceries, which he will sell as cheap as any one. He solicits a share of public patronage. *May*, 1827.

WILSON'S

SUPERIOR AMERICAN MANUFACTURED

GLOBES.

Extract from the late Report (Nov. 1823) of the New-York Mechanic and Scientific Institution for the encouragement of American Manufactures.

"A discretionary premium was awarded to Samuel Wood & Son, for a pair of superior Globes, made by JAMES WILSON & SONS, of Albany. The elegance and excellence of these articles are deserving of high commendation, and when we consider the great utility of them in our primary schools, we cannot do less than encourage the Manufacturers, by calling the attention of the public to them."

Manufactured at No. 110 *Washington-st. Albany.*
May, 1827.

JOHN MALCHER,

No. **560** *S. Market-street, next door south Fobes' Columbian Hotel,*

RESPECTFULLY informs the public in general, that he continues the Hair Dressing and Shaving as usual, at his Dressing Room, as above. He tenders his grateful acknowledgement to his patrons, and solicits a continuance of their favours. *May*, 1827.

THORP & SPRAGUE'S

WESTERN, NORTHERN,

AND

NEW-YORK
MAIL STAGE OFFICE,

No. **365** North Market-street,
Near the Mansion Houses and Post-Office.

WEBSTER & BRANDON,

Continue their Office at the above place.
May, 1827.

E. M. HILLS, HAIR DRESSER,

CONTINUES to carry on the Shaving and Hair Dressing business, at the commodious shop, on the corner of Hudson and Dean-streets, under the Museum. *May*, 1827.

Courtesy: the New York State Library

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Teaching Section 3

THE MURDER

EDUCATIONAL OBJECTIVES

After completing this section, students should be able to:

1. Compare the advantages and disadvantages of the plots to kill John Whipple. (Level 1)
2. Analyze Jesse's and Elsie's versions of the events leading to the murder. (Level 1)
3. Analyze the community's reactions to the murder. (Level 1)
4. Compare accounts of the murder. (Level 2)
5. Recognize the differences among eyewitness, circumstantial and hearsay accounts of an event. (Level 2)
6. Recognize how customs and attitudes towards death have changed. (Level 2)
7. Analyze a legal record as a primary source of information. (Level 2)
8. Trace Elsie's and Jesse's trip to Hill's tavern on a map. (Level 3)
9. Compare past and present journalistic styles. (Level 3)
10. Compare different attitudes towards death by examining gravestones. (Level 3)

TEACHING ACTIVITIES

Notes to Teachers

This section will compare Jesse Strang's and Elsie Whipple's versions of the events leading to the murder. Students will examine the different reactions to the event and learn how witnesses' accounts can vary. In examining John Whipple's funeral, they will learn how mourning customs and attitudes towards death have changed. This section will also acquaint students with a legal record as a source of primary information. Level 3 activities will include map reading, an analysis of journalistic styles and a visit to Albany Rural Cemetery. The illustration on page 225 may be posted or copied and distributed to students.

ACTIVITY 1 (Level 1)

Objective
- Compare the advantages and disadvantages of the plots to kill John Whipple according to Jesse Strang in the Confession.

Materials
- Confession, paragraphs 22-42
- Student Worksheet 5 (Time Line of Events from Section 2)
- Blackboard

1. Distribute the Confession and Worksheet 5 to each student.

2. Ask students to read the summary paragraphs, on the left, in the Confession and complete events 5, 6, and 7 on the time line. (This may be assigned as homework.)

3. Review the answers with the class using the Answer Key.

4. On the blackboard, list the four plots Strang mentioned in the Confession to get rid of John (see #1-4 on next page).

5. Ask students to work in groups and analyze the advantages and disadvantages of each. Write their answers on the board. (Refer to the answers below.)

	Plots	Advantages	Disadvantages
1.	Hire a "hit man"	won't have to kill him yourself	costs money, too risky to involve someone else
2.	Elsie poisons John	opportunity	tried and failed three times
3.	Dinah poisons John	can't testify as a slave	said no
4.	Jesse waylays Whipple	away from Cherry Hill	his absence might be discovered

(Remind students that we can't believe these plots until they are verified or proved by at least two reliable sources. This will be an activity in the next section, Arrests and Trials.)

ACTIVITY 2 (Level 1)

Objective

- Analyze Jesse's and Elsie's versions of the events leading to the murder.

Materials

- Confession, paragraphs 43-83
- Student Worksheet 5 (Time Line of Events from Section 2)
- Information Sheet B (from Section 1, History/Herstory)
- Student Worksheet 1

1. Distribute the Confession and time line, Worksheet 5, to every student.

2. Ask students to take turns reading aloud summary paragraphs 43 through 83 in the Confession.

3. Students should complete events 8-12 on the time line.

4. Review the answers together as a class (see Answer Key).

5. Distribute Information Sheet B from Section 1 (Elsie's statement) to each student.

6. Distribute copies of Worksheet 1 to each student. Allow time for the students to fill in Elsie's explanations.

7. Have students underline where Jesse's and Elsie's versions agree (see Answer Key).

8. Discuss the similarities and differences in their versions.

ACTIVITY 3 (Level 1)

Objective
- Analyze the community's reactions to the murder.

Materials
- Information Sheet A
- Student Worksheet 2

1. Make copies of Information Sheet A and Worksheet 2 for each student.

2. Distribute and allow time for students to read the articles and complete the answers. (This may be assigned as homework.)

3. Discuss the answers as a class (see Answer Key).

ACTIVITY 4 (Level 2)

Objectives
- Compare accounts of the murder.
- Recognize the difference among eyewitness, circumstantial and hearsay accounts of an event.

Material
- Student Worksheet 3

1. Reproduce Worksheet 3 for each student.

2. Cover the following points before distributing copies of the worksheet:

    a. Ask students if they've ever remembered an event differently from someone else OR stage an eyewitness event by having someone come into the room, do something "outlandish," and leave. Ask students to observe the event as if being interviewed by police or press. Compare the different accounts.

b. Discuss how an individual's personal involvement, location or perceptiveness would affect their experience of an event.

3. Distribute Worksheet 3 and allow time for students to complete.

4. Review the answers as a class (see Answer Key). Ask students which account is usually considered most valuable as evidence, least valuable?

ACTIVITY 5 (Level 2)

Objectives
- Recognize how mourning customs and attitudes towards death have changed.
- Analyze a legal record as a primary source of information.

Materials
- Information Sheet B
- Information Sheet C
- Student Worksheet 4

1. Review "Letters of Administration," in Explanation of Documents, before you teach this activity.

2. Reproduce Information Sheets B and C and Worksheet 4 for every student.

3. Distribute Information Sheet C first and review together with the class.

   Read the transcription of the document, page 214, aloud to students and then discuss the following:

   a. What was the purpose of this document? (Why was it created?)

   b. What kinds of information does this legal record give that a newspaper wouldn't?

Note: Mrs. Bartlet was John Whipple's sister from Vermont. The currency is pounds (£), shillings (/) and pence. The individual cost for some of the items on the left is listed in shillings and pence. For example, line 5 reads: 2 Gallons Gin at 17 shillings and 6 pence (sixpence); 2 Gallons Brandy at 20 shillings; 2 Gallons Jamaica at 14 shillings. (See glossary for definitions of currency.)
The final figure of 0.75 is probably not the total of expenses but rather the amount left in the account.

4. Distribute Information Sheet B and Worksheet 4 to every student.

5. Students should complete Worksheet 4 using the documents on both Information Sheets.

6. Review the answers together as a class.

ACTIVITY 6 (Level 3)

Objective
- Trace Elsie's and Jesse's trip to Hill's tavern on a map.

Materials
- Confession, paragraphs 47-49.
- Information Sheet B (Map of Albany County from Section 2)

1. Ask students to trace Elsie's and Jesse's route to Hill's tavern on the Albany County map, Section 2, based on the written description in the Confession.

2. Using the scale of miles at the top of the map, students should mark where Hill's tavern was located. (1 1/2 miles west of Yearley's on the Troy-Schenectady Turnpike.)

ACTIVITY 7 (Level 3)

Objective
- Compare past and present journalistic styles.

Material
- Information Sheet A

1. Ask students to read the Albany Argus report of the murder.

2. Each student could bring a present day newspaper article on a murder into the class and compare past and present journalistic styles.

ACTIVITY 8 (Level 3)

Objective

- Compare different attitudes towards death by examining gravestones.

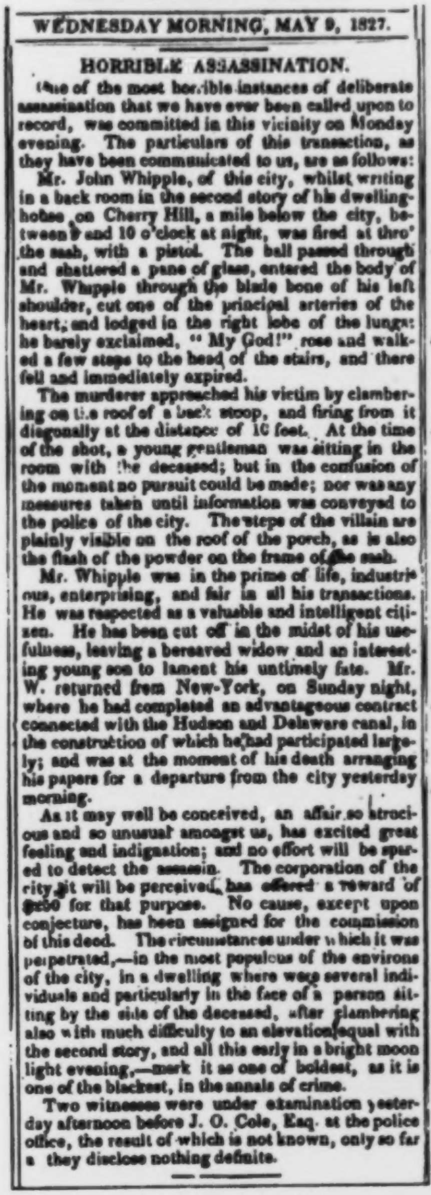
1. Visit the Albany Rural Cemetery in Menands and find John Whipple's gravestone.
2. Compare the styles and inscriptions to earlier and later gravestones in the cemetery.

   The cemetery requires at least a day's advance notice for all field trips. Contact the gatekeeper for directions to the plot.

Information Sheet A

COMMUNITY'S REACTION TO THE MURDER

The Albany Argus



WEDNESDAY MORNING, MAY 9, 1827.

HORRIBLE ASSASSINATION.

One of the most horrible instances of deliberate assassination that we have ever been called upon to record, was committed in this vicinity on Monday evening. The particulars of this transaction, as they have been communicated to us, are as follows:

Mr. John Whipple, of this city, whilst writing in a back room in the second story of his dwelling-house on Cherry Hill, a mile below the city, between 9 and 10 o'clock at night, was fired at thro' the sash, with a pistol. The ball passed through and shattered a pane of glass, entered the body of Mr. Whipple through the blade bone of his left shoulder, cut one of the principal arteries of the heart, and lodged in the right lobe of the lungs: he barely exclaimed, "My God!" rose and walked a few steps to the head of the stairs, and there fell and immediately expired.

The murderer approached his victim by clambering on the roof of a back stoop, and firing from it diagonally at the distance of 10 feet. At the time of the shot, a young gentleman was sitting in the room with the deceased; but in the confusion of the moment no pursuit could be made; nor was any measures taken until information was conveyed to the police of the city. The steps of the villain are plainly visible on the roof of the porch, as is also the flash of the powder on the frame of the sash.

Mr. Whipple was in the prime of life, industrious, enterprising, and fair in all his transactions. He was respected as a valuable and intelligent citizen. He has been cut off in the midst of his usefulness, leaving a bereaved widow and an interesting young son to lament his untimely fate. Mr. W. returned from New-York, on Sunday night, where he had completed an advantageous contract connected with the Hudson and Delaware canal, in the construction of which he had participated largely; and was at the moment of his death arranging his papers for a departure from the city yesterday morning.

As it may well be conceived, an affair so atrocious and so unusual amongst us, has excited great feeling and indignation; and no effort will be spared to detect the assassin. The corporation of the city, it will be perceived, has offered a reward of $250 for that purpose. No cause, except upon conjecture, has been assigned for the commission of this deed. The circumstances under which it was perpetrated,—in the most populous of the environs of the city, in a dwelling where were several individuals and particularly in the face of a person sitting by the side of the deceased, after clambering also with much difficulty to an elevation equal with the second story, and all this early in a bright moon light evening,—mark it as one of boldest, as it is one of the blackest, in the annals of crime.

Two witnesses were under examination yesterday afternoon before J. O. Cole, Esq. at the police office, the result of which is not known, only so far a they disclose nothing definite.

Document 22
Cont.

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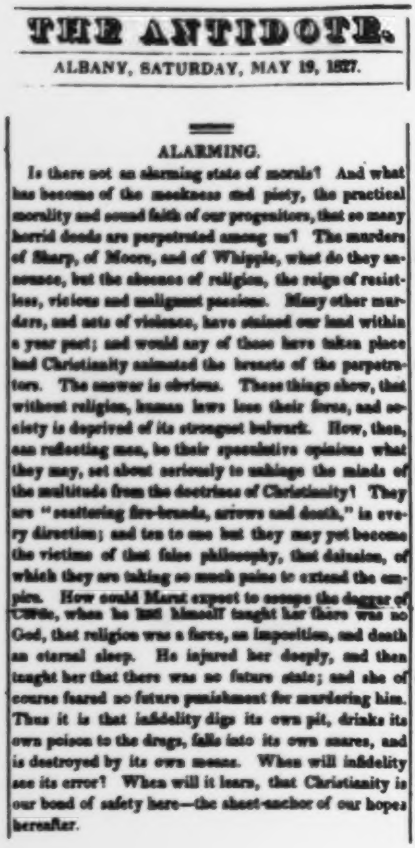


THE ANTIDOTE.

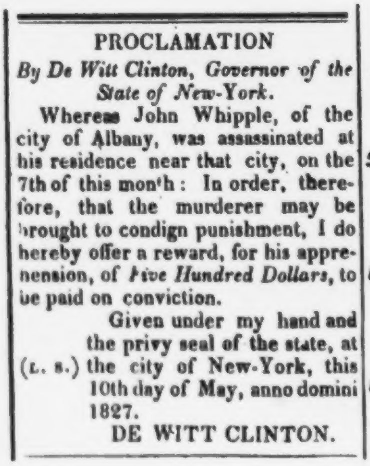
ALBANY, SATURDAY, MAY 19, 1827.

ALARMING.

Is there not an alarming state of morals? And what has become of the meekness and piety, the practical morality and sound faith of our progenitors, that so many horrid deeds are perpetrated among us? The murders of Sharp, of Moore, and of Whipple, what do they announce, but the absence of religion, the reign of resistless, vicious and malignant passions. Many other murders, and acts of violence, have stained our land within a year past; and would any of these have taken place had Christianity animated the breasts of the perpetrators. The answer is obvious. These things show, that without religion, human laws lose their force, and society is deprived of its strongest bulwark. How, then, can reflecting men, be their speculative opinions what they may, set about seriously to unhinge the minds of the multitude from the doctrines of Christianity? They are "scattering fire-brands, arrows and death," in every direction; and ten to one but they may yet become the victims of that false philosophy, that delusion, of which they are taking so much pains to extend the empire. How could Marat expect to escape the dagger of Corde, when he had himself taught her there was no God, that religion was a farce, an imposition, and death an eternal sleep. He injured her deeply, and then taught her that there was no future state; and she of course feared no future punishment for murdering him. Thus it is that infidelity digs its own pit, drinks its own poison to the dregs, falls into its own snares, and is destroyed by its own means. When will infidelity see its error? When will it learn, that Christianity is our bond of safety here—the sheet-anchor of our hopes hereafter.

Document 23

The Standard
May 22, 1827



PROCLAMATION

By De Witt Clinton, Governor of the State of New-York.

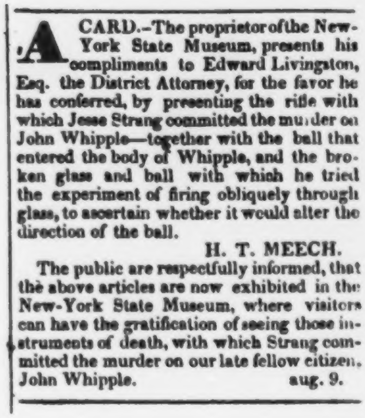
Whereas John Whipple, of the city of Albany, was assassinated at his residence near that city, on the 7th of this month: In order, therefore, that the murderer may be brought to condign punishment, I do hereby offer a reward, for his apprehension, of *Five Hundred Dollars*, to be paid on conviction.

Given under my hand and the privy seal of the state, at
(L. S.) the city of New-York, this
10th day of May, anno domini
1827.

DE WITT CLINTON.

Document 24

The Standard
August 16, 1827



A CARD.—The proprietor of the New-York State Museum, presents his compliments to Edward Livingston, Esq. the District Attorney, for the favor he has conferred, by presenting the rifle with which Jesse Strang committed the murder on John Whipple—together with the ball that entered the body of Whipple, and the broken glass and ball with which he tried the experiment of firing obliquely through glass, to ascertain whether it would alter the direction of the ball.

H. T. MEECH.

The public are respectfully informed, that the above articles are now exhibited in the New-York State Museum, where visitors can have the gratification of seeing those instruments of death, with which Strang committed the murder on our late fellow citizen, John Whipple. aug. 9.

Document 25

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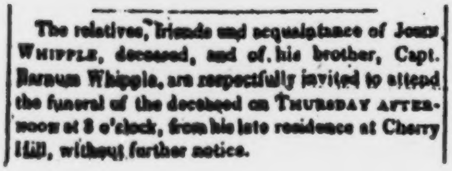
Information Sheet B

JOHN WHIPPLE'S FUNERAL AND BURIAL

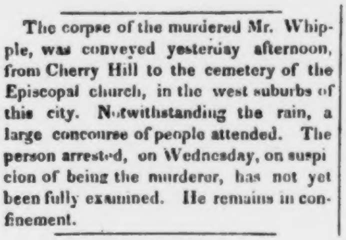
The Albany Argus
May 9, 1827



The relatives, friends and acquaintance of JOHN WHIPPLE, deceased, and of his brother, Capt. Barnum Whipple, are respectfully invited to attend the funeral of the deceased on THURSDAY AFTERNOON at 3 o'clock, from his late residence at Cherry Hill, without further notice.

Document 26

The Albany Gazette
May 15, 1827



The corpse of the murdered Mr. Whipple, was conveyed yesterday afternoon, from Cherry Hill to the cemetery of the Episcopal church, in the west suburbs of this city. Notwithstanding the rain, a large concourse of people attended. The person arrested, on Wednesday, on suspicion of being the murderer, has not yet been fully examined. He remains in confinement.

Document 27

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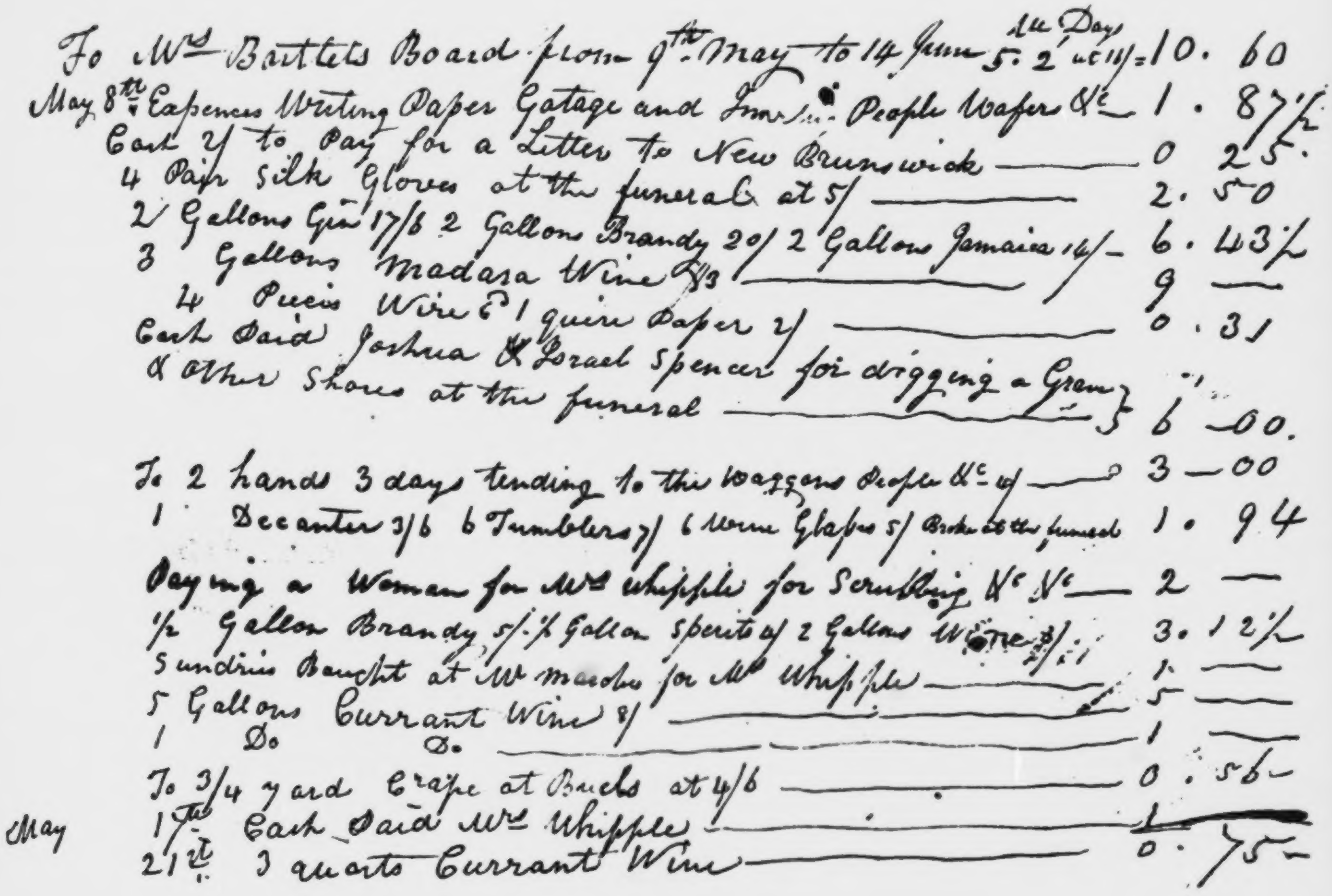
Information Sheet C

JOHN WHIPPLE'S LETTERS OF ADMINISTRATION



To Mrs Bartlets Board from 9th May to 14 June 5.2 the Days at 11/ =	10.60
May 8th Expences Writing Paper Postage and Inviting People Wafers &c	1.87½
Cash 2/ to Pay for a Letter to New Brunswick	0.25
4 Pair Silk Gloves at the funeral at 5/	2.50
2 Gallons Gin 17/6 2 Gallons Brandy 20/ 2 Gallons Jamaica 14/	6.43½
3 Gallons Madeira Wine 8/3	9 —
4 Pieces Wire &c 1 quire Paper 2/	0.31
Cash Paid Joshua & Israel Spencer for digging a Grave & other Shares at the funeral	6.00
To 2 hands 3 days tending to the Waggons People &c 4/	3.00
1 Decanter 3/6 6 Tumblers 7/ 6 Wine Glasses 5/ Broke at the funeral	1.94
Paying a Woman for Mrs Whipple for Scrubbing &c &c	2 —
½ Gallon Brandy 5/ ½ Gallon Spirits 4/ 2 Gallons Wine 8/	3.12½
Sundries Bought at Mr Marsh's for Mrs Whipple	1 —
5 Gallons Currant Wine 8/	5 —
1 Do Do	1 —
To 3/4 yard Crape at Bucks at 4/6	0.56
May 17th Cash Paid Mrs Whipple	1
21st 3 quarts Currant Wine	0.75

Document 28

Cont.

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TRANSCRIPTION

JOHN WHIPPLE'S LETTERS OF ADMINISTRATION

To Mrs Bartlets Board from 9th May to 14 June 5 Wks & 2 Days at 16/=	10.60
May 8th Expences Writing Paper Gatage and Inviting People Wafers etc.	1.87½
Cash 2/ to Pay for a Letter to New Brunswick	0.25
4 Pair Silk Gloves at the funeral at 5/	2.50
2 Gallons Gin 17/6 2 Gallons Brandy 20/ 2 Gallons Jamaica 14/-	6.43£
3 Gallons Madara Wine 3	9.--
4 Pieces Wire & 1 quire paper 2/	0.31
Cash Paid Joshua & Israel Spencer for digging a Grave & Other Shores at the funeral	6-00
To 2 hands 3 days tending to the waggons People & etc.	3-00
1 Decanter 3/6 6 Tumblers 7/ 6 wine Glasses 5/ Broke at the funeral	1.94
Paying a Woman for Mrs Whipple for Scrubbing etc.	2 --
½ Gallon Brandy 5/- ½ Gallon Sperits 4/ 2 Gallons Wine 8/	3.12£
Sundries Bought at W Marches for Mrs Whipple	1 --
5 Gallons Currant Wine 8/	5 --
1 Do (Ditto) Do (Ditto)	1 --
To 3/4 yard Crape at Bucks at 4/6	0.56
May 17th Cash paid Mrs Whipple	1
(May) 21st 3 quarts Currant Wine	0.75

Section 3
The Murder

Name____________________

Student Worksheet 1

COMPARING VERSIONS

Jesse's Version (from Confession)	Elsie's Version (from Statement)
Poison	**Poison**
1. Elsie asked him to buy poison. 2. She tried to poison John three times and failed. 3. He asked Dinah to poison John.	
Waylaying John	**Waylaying John**
1. He offered to waylay John. 2. Later, she asked him to waylay John.	
Affair	**Affair**
1. She had an affair with him at Hill's Tavern. 2. They also slept together twice at Cherry Hill.	
Pane of Glass	**Pane of Glass**
1. She gave him several panes of glass. 2. She gave them to him so he could practice target shooting.	
Bullet	**Bullet**
1. She gave him a bullet to use for the gun.	

Cont.

Student Worksheet 1 Cont.

Jesse's Version (from Confession)	Elsie's Version (from Statement)
Socks	**Socks**
1. She gave him a pair of socks.	
2. She knew he wanted to wear them when he murdered Whipple.	
Money	**Money**
1. She gave him a twenty dollar bill from the Hartford Phoenix Bank.	
2. He used it to buy the murder weapon.	
3. She gave him the money so he could buy the weapon.	
Window Curtain	**Window Curtain**
1. She agreed to roll up the curtain to make it easier to shoot John.	
Notes	**Notes**
1. He and Elsie wrote notes to each other.	
2. These notes discussed plans for running away and killing John.	

Section 3
The Murder

Name____________________

Student Worksheet 2

THE COMMUNITY'S REACTION

Use Information Sheet A to help you answer the questions below.

Document 22

1. List the 5 reasons why the Argus considered this one of the "boldest" crimes ever.

2. What did the city do in reaction to the murder?

3. How did the community feel about John Whipple?

Document 23

4. The Antidote, in 1827, blames the absence of __________ for low morals and crime.
Today, newspapers and the media often blame___________ for crime.

Document 24

5. How did Governor De Witt Clinton react to the murder?

Document 25

6. Why do you think the New York State Museum exhibited the murder weapon and other evidence of the crime in 1827?

Cont.

7. After reading these reactions, do you think that murders in Albany in the 1820s were (circle one)

USUAL UNUSUAL

Why? ________________________________

Name________________

Student Worksheet 3

COMPARING WITNESSES' ACCOUNTS

Eyewitness Account - an account by a person who actually saw what happened.

Circumstantial Account - an account given by a person who saw part of what happened or only certain circumstances to do with the event.

Hearsay Account - an account given by a person who heard about what happened from someone else.

Match the quote on the left with the kind of account it is on the right by connecting them with a line.

"(I) was in Mr. Whipple's room at the time of the murder. Saw a person's face at the window; it was a white face; the person had a black hat and something shiny in his hand. Just as (I) spring up (I) heard the... gun and saw Whipple had been shot."
(Abraham Van Rensselaer)

CIRCUMSTANTIAL

(I) was in the kitchen. Had just finished washing the supper things and was sitting down to dinner . . . . heard the gun fired. (I) went out, called the dog, and tried to send him after the person who fired; the dog . . . . refused to stir. The dog is a very watchful dog, and never permits strangers to come near the house.
(Dinah Jackson)

HEARSAY

On the night of the murder, Strang came in (to the Columbian Hotel where) ... I was in the bar . . . Strang then said Mr. Whipple is shot . . . No one asked (me) to go to Cherry Hill but (I) went.
(Starr Foot, barkeeper, the Columbian Hotel)

EYEWITNESS

Name____________________

Student Worksheet 4

JOHN WHIPPLE'S DEATH

Read Information Sheet B

1. John Whipple was murdered on Monday, May 7. What was the date of John Whipple's funeral?
2. Who was invited to attend?
3. Where was the funeral held?
4. When was John Whipple buried?
5. Where was he buried?

Read Information Sheet C to answer the following questions:

6. The Van Rensselaer family charged the estate of John Whipple for a number of funeral expenses. When were most of the items for the funeral purchased?
7. Why do you think a letter was sent to New Brunswick?
8. Why was "crape" (crepe) purchased for the funeral? (Look the word up in the dictionary to help you find the answer.)
9. How many gallons of liquor and wine were purchased for the funeral on May 8? (total amount)
10. What was broken at the funeral?

Cont.

11. Who was hired to take care of the wagons, and probably, horses?

    How many days were they hired for?

ANSWER KEY TO WORKSHEET 1 (Activity 2)

(The circled numbers are the answers to Activity 5, in the next section, "Arrests and Trials")

Jesse's Version (from Confession)	Elsie's Version (from Statement)
Poison	**Poison**
1. Elsie asked him to buy poison. 2. She tried to poison John three times and failed. ③ He asked Dinah to poison John.	1. Jesse said he would poison John. (line 4) 2. He never gave her any arsenic to give to John. (lines 5-6)
Waylaying John	**Waylaying John**
1. He offered to waylay John. 2. Later, she asked him to waylay John.	1. He said that he would waylay John. (line 8)
Affair	**Affair**
① She had an affair with him at Hill's Tavern. 2. They also slept together twice at Cherry Hill.	① She said they had an affair at Hill's Tavern. (line 17)
Pane of Glass	**Pane of Glass**
1. She gave him several panes of glass. 2. She gave them to him so he could practice target shooting.	① She gave him a pane of glass to repair a window in the kitchen. (lines 21-22) 2. She never gave him any other pane of glass. (lines 23-24) 3. She never knew he had tried the experiment. (lines 26-27)

Jesse's Version (from Confession)	Elsie's Version (from Statement)
Bullet	**Bullet**
1. She gave him a bullet to use for the gun.	1. She never gave him a ball or bullet. (lines 27-28) 2. He never asked for one. (lines 28-29)
Socks	**Socks**
① She gave him a pair of socks. 2. She knew he wanted to wear them when he murdered Whipple.	① She gave him a pair of socks. (lines 30-31) 2. She gave them to him because he said his socks were getting washed. (line 31)
Money	**Money**
① She gave him a twenty dollar bill from the Hartford Phoenix Bank. ② He used it to buy the murder weapon. 3. She gave him the money so he could buy the weapon.	① She gave Strang a twenty dollar bill from the Hartford Phoenix Bank. 2. She gave him the money because he asked for it. 3. She had no idea what he would use it for.
Window Curtain	**Window Curtain**
1. She agreed to roll up the curtain to make it easier to shoot John.	1. She never drew the window curtain aside. 2. Mr. Whipple opened it.
Notes	**Notes**
① He and Elsie wrote notes to each other. 2. These notes discussed plans for running away and killing John.	(She didn't mention.)

WORKSHEET 2 (Activity 3)

1. Lines 49-55
2. Offered a reward of $250
3. Lines 28-31
4. Religion; today - drugs, disintegration of the family, etc.
5. Offered a reward of $500
6. Satisfy public curiosity. Make the comparison to crime stories on television today. Point out that the present day New York State Museum doesn't have these items in its collection. Their whereabouts are unknown.
7. Unusual. Answers vary.

WORKSHEET 3 (Activity 4)

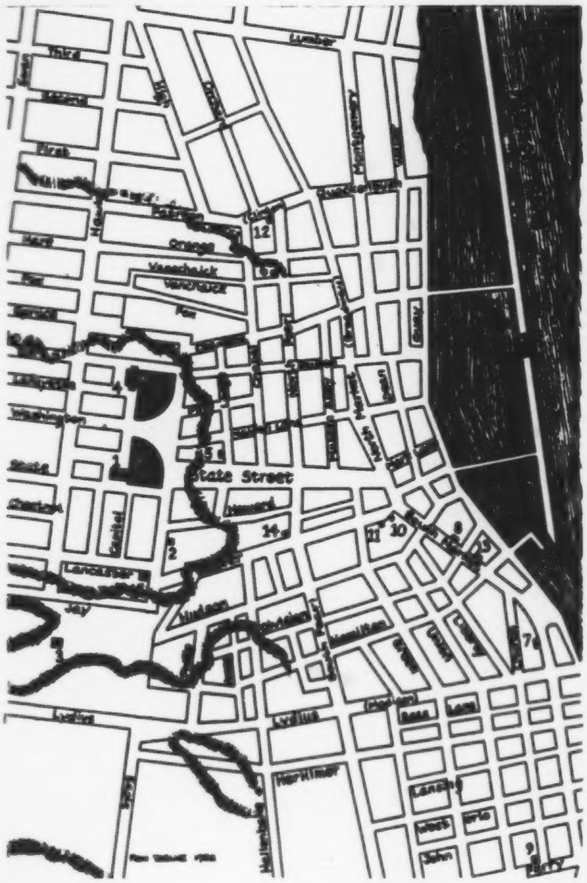
Abraham Van Rensselaer - EYEWITNESS
Dinah Jackson - CIRCUMSTANTIAL
Starr Foot - HEARSAY

WORKSHEET 4 (Activity 5)

1. May 10. The inquest probably delayed the funeral.
2. Lines 1-3
3. At Cherry Hill. Point out that funerals today are usually held in funeral homes. The preparation of the body, and the arrangements for burial were once handled by the family. Today professional morticians and funeral parlor staff have taken over these responsibilities.
4. May 10
5. Episcopal Church cemetery
6. May 8, day after murder
7. Probably to notify Elsie's relatives about the murder. Stress the time lag which occurred in receiving any news.
8. Black crepe was worn as a sign of mourning. Point out that the mourning period could last up to two years or longer for a widow. Compare this to our customs today where the bereaved are urged to quickly resume their normal activities.
9. 17 gallons. Stress the widespread use of alcohol in the 1820s. Elsie Whipple would have had to provide hospitality to a number of relatives and friends over the course of several days.
10. Glassware, perhaps some of the wine glasses
11. Line 10

Map of Albany in 1827
Key

1. State Capitol
2. Jail
3. Site of execution
4. Albany Academy
5. St. Peter's Episcopal Church
6. First Dutch Church
7. Columbian Hotel, 559 South Market Street
8. Sheldon & Sykes, merchants, 456 South Market Street
9. Charles Conklin's livery stable, corner of Church and Ferry Streets
10. John Moore, gunsmith, 8 Beaver Street
11. Edward Fay, gunsmith, 16 Beaver Street
12. Mrs. Gitty Sandford, corner of Patroon and North Pearl Streets
13. R. M. Meigs, druggist, 466 South Market Street
14. F. H. Crosby's hotel, corner of South Pearl and Beaver Streets
15. Lancaster Academy


Lumber
Third
Second
First
Montgomery
Quackenbush
12
Orange
Fox
Lafayette
4
Washington
1
State
State Street
Capitol
Howard
14
2
11
10
8
13
Lancaster
Jay
Hudson
Hamilton
Union
7
Lydius
Herkimer
Lansing
John
9
Ferry

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Teaching Section 4

ARRESTS AND TRIALS

EDUCATIONAL OBJECTIVES

After completing this section, students should be able to:

1. Understand the sequence of events after the murder. (Level 1)
2. Recognize that Elsie Whipple received preferential treatment in jail. (Level 1)
3. Recognize the major issues at Jesse Strang's trial. (Level 1)
4. Analyze Dinah Jackson's testimony. (Level 1)
5. Recognize why currency could be traced. (Level 1)
6. Recognize the major issues at Elsie Whipple's trial. (Level 1)
7. Identify bias in the testimony of witnesses. (Level 1)
8. Summarize the major testimony at both trials. (Level 1)
9. Determine what the witnesses verified as fact in Jesse's and Elsie's versions of the event. (Level 1)
10. Understand that Strang's version of her involvement in the murder could not be proven. (Level 1)
11. Participate in a group oral presentation. (Level 2)
12. Compare past and present methods of investigating crimes. (Level 3)
13. Transpose written information into a visual format. (Level 3)

TEACHING ACTIVITIES

Notes to Teachers

This section will acquaint students with the events following the murder including the arrests, imprisonments and trials. Students will learn the major issues at both trials and analyze the testimony. They will then determine what can be verified as fact in Jesse's and Elsie's versions of the event.

The illustrations on page 246 and 247 may be posted or copied and distributed to students.

Read the overview, "The Trials," on page 57 and "Currency" in the Explanation of Documents to help you teach this section.

ACTIVITY 1 (Level 1)

Objective
- Understand the sequence of events after the murder.

Materials
- Confession, paragraphs 84-98
- Student Worksheet 1

1. Distribute a copy of the Confession and Worksheet 1, time line, to each student.
2. Complete the Confession by reading the summary paragraphs on the left, or if time permits, the original paragraphs on the right.
3. Students should fill in numbers 1, 2, 5, 6 and 7 on the time line using the summary paragraphs (see Answer Key on page 243).
4. Discuss the following questions:
    a. What was the purpose of the Coroner's inquest? (to determine how John Whipple died. Point out that today we rely upon scientific evidence from an autopsy, rather than testimony from jurors, to determine if a death was accidental or not.)
    b. What were some reasons why Strang was suspected and arrested? (paragraph 86)

c. Why did Strang say he confessed to the affair? (paragraph 89. Remind students that according to Strang, he and Elsie had pledged not to inform against each other.)

d. What is a Grand Jury? (A jury of from 12 to 23 citizens that investigates accusations against people charged with a crime. If there is enough evidence, it indicts them for trial before a petit jury of 12 citizens.)

e. Why did Jesse make a full confession to his jailer? (paragraph 91)

f. Why did Jesse say he wanted to have Elsie convicted? (paragraph 95)

ACTIVITY 2 (Level 1)

Objectives
- Understand the sequence of events after the murder.
- Recognize that Elsie Whipple received preferential treatment in jail.

Materials
- Student Worksheet 1
- Summary of Elsie Whipple's Trial

1. Distribute Worksheet 1 and the Summary of Elsie Whipple's Trial to each student.

2. Have students read the testimony from the following witnesses:
   John O. Cole (July 31, August 2)
   Maria Van Rensselaer (July 31, August 1)
   Eleanor Becker (August 1)
   Henry Schoonmaker (August 1)
   Dr. Joel A. Wing (August 2)

3. Fill in numbers 3 and 4 on the time line using information from the August 2 testimony of John O. Cole.

4. Discuss the following questions:

   a. According to Maria Van Rensselaer's testimony, how did Elsie behave after the murder?

   b. According to Dr. Joel Wing's testimony, who did Elsie say suspected her of involvement in her husband's murder?

   c. Why do you think Elsie kissed the corpse of her husband, as mentioned in Dr. Wing's testimony?
   (According to folklorist and historian Dr. Louis Jones, the bier kiss was a test of those accused of murder. If the murderer kissed the body, the wounds would bleed.)

   d. How was Elsie's treatment in jail different from that of Strang's? Look at the testimony of John O. Cole on August 2 and Eleanor Becker and Henry Schoonmaker on August 1.

   (Although Elsie was arrested on May 25 and spent the night in jail, it appears she was not fully committed for imprisonment until June 15, after Strang made a full confession. Point out that her class and gender resulted in her preferential treatment.)

ACTIVITY 3 (Level 1)

Objectives
- Recognize the major issues at Jesse Strang's trial.
- Analyze Dinah Jackson's testimony.
- Recognize why currency could be traced.
- Understand the sequence of events after the murder.

Materials
- Summary of Jesse Strang's Trial
- Student Worksheet 2
- Information Sheet A
- Student Worksheet 1

1. Distribute the Summary to every student. Read the trial aloud or select students to take turns reading it.

2. Define the following words or terms as you read:

    Court of Oyer and Terminer (see glossary)
    prosecution
    district attorney
    counsel (see glossary)
    bench (see glossary)
    bar (see glossary)
    cordwainer (see glossary)
    indicted
    arraigned
    voluntary/involuntary
    cross-examined
    inducements
    incriminate
    bill of inditement (see glossary)
    testify
    premeditated
    circumstantial testimony
    police magistrate
    to admit testimony

3. Distribute Worksheet 2 to every student and review the answers as a class (see Answer Key). Distribute Information Sheet A to illustrate the type of currency in that period.

4. Discuss why the verdict at Strang's trial might be different today (see "The Trials" overview).

5. Students should fill in number 8 on Worksheet 1, time line.

ACTIVITY 4 (Level 1)

Objectives
- Recognize the major issues at Elsie Whipple's trial.
- Identify bias in the testimony of witnesses.
- Understand the sequence of events after the murder.

Materials
- Summary of Elsie Whipple's Trial
- Student Worksheet 3
- Student Worksheet 1

1. Distribute the Summary to every student. Read the trial aloud or select students to take turns reading it.

2. Define the following words or terms as you read:

   aiding and abetting
   acquitted
   circumstantial evidence
   disinterested witness
   principal (see glossary)
   accessory
   accomplice
   Turnkey (see glossary)
   deposition

3. Distribute Worksheet 3 to every student and discuss the answers as a class (see Answer Key).

4. Discuss whether Elsie was protected or not. (Refer to "The Trials" overview and document 9, Judge Duer's Ruling, in Section 2.)

5. Students should fill in number 9 on Worksheet 1, the time line.

ACTIVITY 5 (Level 1)

Objectives
- Summarize the major testimony at both trials.
- Determine what the witnesses verified as fact in Jesse's and Elsie's versions of the event.
- Understand that Strang's version of her involvement in the murder could not be proven.

Materials
- Summary of Jesse Strang's Trial
- Summary of Elsie Whipple's Trial
- Student Worksheet 4
- Student Worksheet 1 from Section 3, The Murder

1. Distribute the Summaries of the trials and Worksheet 4 to every student.

2. Review the answers as a class (see Answer Key).

3. Distribute Worksheet 1, "Comparing Versions," from Section 3. Based on their answers from Worksheet 4, ask students to circle what these witnesses verified as fact in Strang's and Elsie's versions (see Answer Key to Worksheet 1 in Section 3).

4. Emphasize that Strang's version of her involvement in the

event could not be proven. (refer to "The Trials" overview).

ACTIVITY 6 (Level 2)

Objective
- Participate in a group oral presentation.

1. Re-enact the trials with students portraying the different characters.

ACTIVITY 7 (Level 3)

Objective
- Compare past and present methods of investigating crimes.

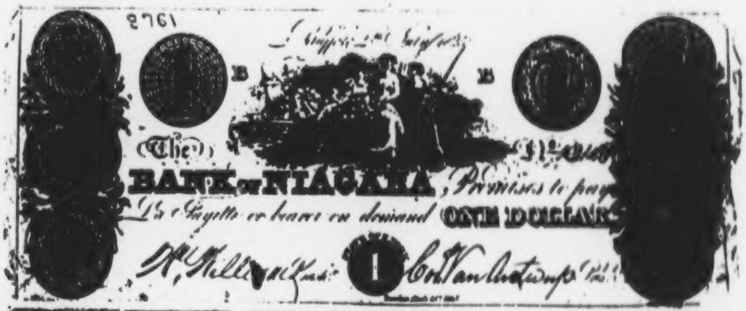
1. Invite a police officer to visit the class and tell how a murder investigation is conducted today.
2. Compare modern day methods with Thomas Pemberton's and John Becker's accounts at Jesse Strang's trial of how the Cherry Hill murder investigation was conducted.

ACTIVITY 8 (Level 3)

Objective
- Transpose written information into a visual format.

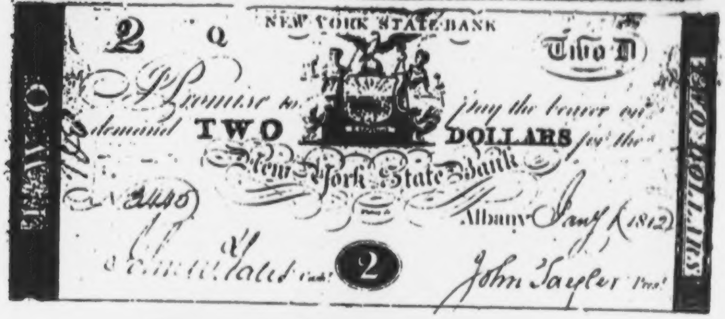
1. Draw the courtroom scene in the Assembly Chamber at Jesse's or Elsie's trial.

Information Sheet A



The BANK OF NIAGARA, Promises to pay … or bearer on demand ONE DOLLAR

1



NEW YORK STATE BANK

2 Q Two D

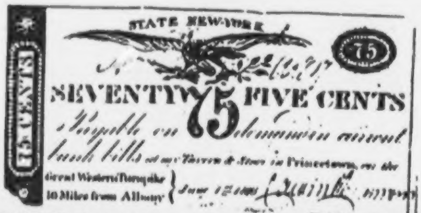
I Promise to pay the bearer on demand TWO DOLLARS for the New York State Bank

Albany Jany 1812

2

John Tayler Pres

TWO DOLLARS



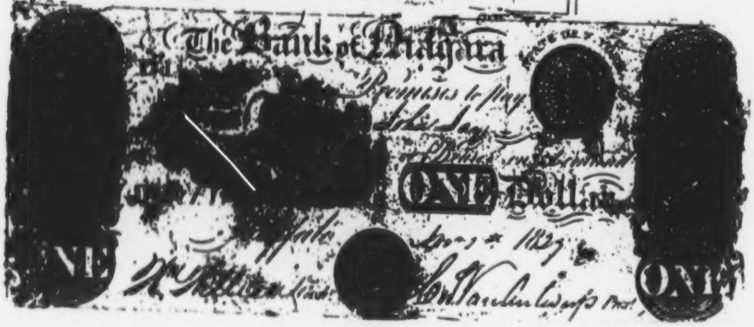
STATE NEW-YORK

75

SEVENTY 75 FIVE CENTS

Payable on … current bank bills at my Tavern & Store in Princetown, on the Great Western Turnpike 10 Miles from Albany

75 CENTS



The Bank of Niagara

Promises to pay … ONE Dollar

1827

ONE

Documents 29 - 32

(top to bottom)

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Name ____________________

Student Worksheet 1

TIME LINE OF EVENTS AFTER THE MURDER

1827

1) May 7-8

2) May 9

3) May 25

4) May 26

5) June 12

1827

6) June 14

7) June 15

8) July 26-7

9) July 30 -
Aug. 3

10) Aug. 4

11) Aug. 24

Name____________________

Student Worksheet 2

JESSE STRANG'S TRIAL

Complete the following questions after you have read the Summary of Jesse Strang's Trial.

1. Who were Strang's lawyers (counsel for prisoner)?

2. Who were the prosecuting attorneys?

3. Where was the trial held?

4. Describe the jurors.

5. Strang pleaded (check one):
guilty ____ not guilty ____ to the charge of murder.

6. What did Mr. Livingston, the district attorney, say was the motive for the crime?

7. What did Strang do that made Abraham Van Rensselaer immediately suspect him?

8. What did both Abraham Van Rensselaer and Dinah Jackson notice that made them suspect Strang?

9. At the time of Strang's trial, Dinah Jackson was a (check one):
Servant ____ Slave ____

10. Why do you think Dinah didn't chose to tell the family about Strang's proposal to poison Whipple?

11. How were the authorities able to trace the $20 bill that Strang used to buy the murder weapon?

Cont.

12. How were the authorities able to find the rifle in the ravine?

13. Judge Duer ruled that Strang's confession to his jailer was (check the correct answer in a and b):

    a. voluntary ____ involuntary ____
    b. could be admitted as evidence ____
       could not be admitted as evidence ____

14. Why did Strang's lawyers argue that it was coerced?

15. What was the jury's verdict?

Name____________________

Worksheet 3

ELSIE WHIPPLE'S TRIAL

Complete the following questions after you have read the Summary of Elsie Whipple's Trial.

1. Who were Elsie's lawyers?

2. Who were the prosecuting attorneys?

3. Where was the trial held?

4. True or False: Fewer people attended Elsie's trial than Strang's __________.

5. Compare the jury at this trial to the jury at Strang's trial.

6. Elsie plead (check one):
guilty ____ not guilty____ to the charge of being an accessory in her husband's murder.

7. What kind of evidence did the district attorney say would be relied upon to try to convict her?

8. Why was Strang considered a "disinterested witness"?

9. From the testimony it appears that Maria Van Rensselaer was (check one):
sympathetic ____ unsympathetic ____ towards Elsie Whipple.

10. Circle the name of the witness below who believed Elsie was guilty:

Dr. Joel Wing   Melancton Whipple   Henrietta Patrick

Cont.

11. Why didn't Judge Duer allow Strang to testify against Elsie?

12. Why did the prosecution abandon the case when it found that Strang couldn't testify?

13. What was the jury's verdict?

Name____________________

Student Worksheet 4

WITNESSES' TESTIMONY

Summarize in one or two sentences what each of the following witnesses said about the evidence listed below:

1. POISON
   Dinah Jackson (Jesse Strang's Trial, July 26)

2. AFFAIR AT HILL'S TAVERN
   Frances Hill (Jesse Strang's Trial, July 26)

   Nancy Montgomery (Elsie Whipple's Trial, August 1)

3. MONEY USED TO BUY MURDER WEAPON
   Philander Fobes (Elsie Whipple's Trial, August 1)

   Edward Fay (Elsie Whipple's Trial, August 1)

4. SOCKS
   Dinah Jackson (Elsie Whipple's Trial, August 2)

5. PANE OF GLASS
   Maria Van Rensselaer (Elsie Whipple's Trial, August 2)

6. NOTES BETWEEN ELSIE AND JESSE
   Amanda Hill (Elsie Whipple's Trial, August 2)

ANSWER KEY TO WORKSHEET 1

TIME LINE OF EVENTS AFTER THE MURDER

1827

1) May 7-8 — Coroner's inquest (Confession, par. 84-86)
2) May 9 — Jesse arrested and imprisoned (Confession, par. 89)
3) May 25 — Elsie arrested (E.W. Trial, John Cole, Aug. 2)
4) May 26 — Elsie gives statement (E.W. Trial, John Cole, Aug. 2)
5) June 12 — Grand Jury indicts Elsie and Jesse (Confession, par. 91)

1827

6) June 14 — Jesse confesses to jailer (Confession, par. 91)
7) June 15 — Elsie imprisoned (Confession, par. 93)
8) July 26-7 — Jesse's trial (J.S.Trial)
9) July 30-Aug. 3 — Elsie's trial (E.W. Trial)
10) Aug. 4 — Strang sentenced (Info. Sheet A, Section 5)
11) Aug. 24 — Confession published (Info. Sheet A, Section 5); Jesse executed (Info. Sheet A, Section 5)

ANSWER KEY TO STUDENT WORKSHEETS

WORKSHEET 2 (Activity 3)

1. Thomas Oakley and Calvin Pepper
2. Edward Livingston, district attorney; Samuel A. Foot
3. In the assembly chamber of the State Capitol
4. Emphasize that jurors were all white male property owners at this time.
5. Not guilty
6. The criminal relationship between Jesse Strang and Elsie Whipple
7. Turned white when he saw Whipple's body
8. The family watchdog didn't stir.
9. Servant. Emphasize that, as a slave, she would not have been allowed to testify prior to July 4, 1827.
10. Refer to "Slavery in New York" overview for a discussion of this issue.
11. Refer to "Currency" in the Explanation of Documents.
12. Because of Strang's confession
13. Voluntary; could be admitted as evidence
    Refer to "The Trials" overview for an explanation of his ruling.
14. Refer to "The Trials" overview.

15 Guilty

WORKSHEET 3 (Activity 4)

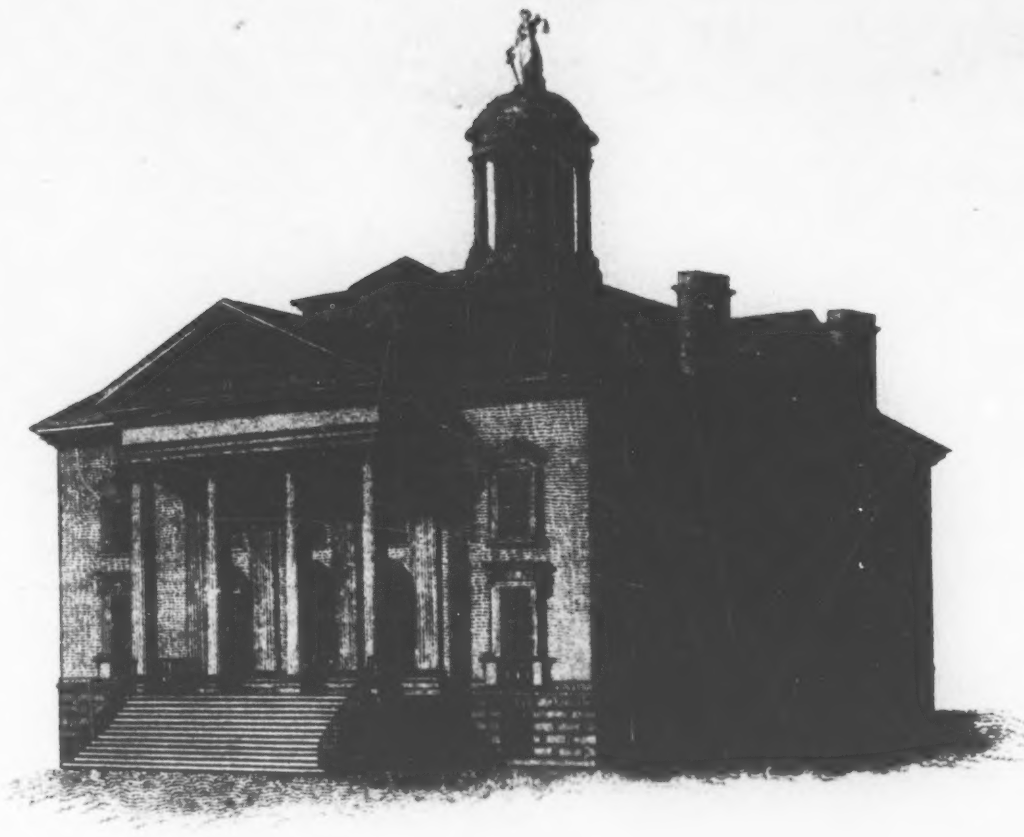
1. Abraham Van Vechten, Mr. Williams, Mr. Tabor
2. Edward Livingston, district attorney; Samuel A. Foot
3. Assembly chamber of State Capitol (in the same place as Strang's)
4. False
5. Although the individual jurors were different, their occupations and status as white male property owners was nearly identical. Note they were all from towns outside the city.
6. Not guilty
7. Circumstantial
8. Supposedly he would tell the truth because he couldn't expect a pardon. Emphasize that revenge against Elsie might have also been a motive for his testimony. If so, it would make him less impartial.
9. Unsympathetic. Point out that Elsie did not appear to have been too well liked by some members of the Cherry Hill family.

10. Melancton Whipple. Stress that when a witness expresses an opinion about the guilt or innocence of the accused, they must be considered biased.
11. It would entitle Strang to a pardon. (See "The Trials" overview.)
12. Without Strang's testimony, the case against Elsie was too weak.
13. Not guilty

WORKSHEET 4 (Activity 5)

1. Dinah Jackson: Jesse Strang asked her to poison John Whipple.
2. Frances Hill:
   She is certain Jesse Strang and Elsie Whipple spent the night together at Hill's tavern.
   Nancy Montgomery: She has no doubt that Mrs. Whipple and Strang stayed at Hill's as man and wife.
3. Philander Fobes: He gave his barkeeper a $20 Hartford Phoenix Bank bill to give to Elsie. Elsie Whipple told him she gave this $20 bill to Strang.
   Edward Fay: Strang gave him a $20 Hartford Phoenix Bank bill to buy the murder weapon.
4. Dinah Jackson: Elsie gave Strang a pair of socks.
5. Maria Van Rensselaer: She saw Elsie give Strang a pane of glass. The pane of glass was for Strang to replace the broken pane.
6. Amanda Hill: She knows that Elsie Whipple and Jesse Strang sent notes to each other.

Both trials were held in this building, the old State Capitol, at the top of State Street. It was built in 1804-1809 and demolished in 1883.



North East view of the

CAPITOL

in the City of Albany

From the collection of the McKinney Library,
Albany Institute of History and Art

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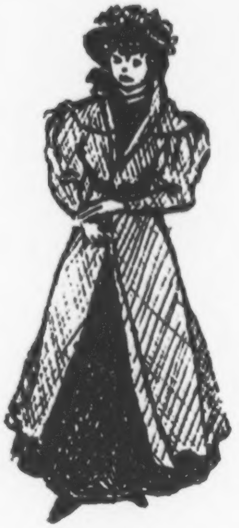
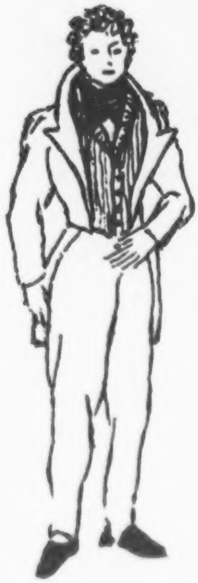
CLOTHING AS EVIDENCE

The clothing that Elsie Whipple and Jesse Strang wore to Hill's tavern helped to identify them and prove their affair:

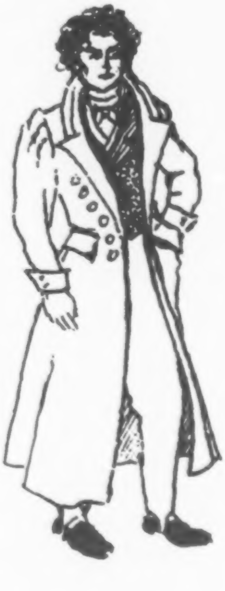
Elsie's clothes were described at both trials. Witnesses testified she wore a riding habit and a bonnet. Her clothes may have looked like this:



Witnesses testified that Jesse wore a coat and pantaloons, the same outfit he wore to his trial. The New York American reported that Jesse Strang was "decently dressed in a new purple mixed coat, and a brown striped vest" at his trial. The clothes he wore to Hill's tavern may have looked like this:



The gunsmith, Edward Fay, identified Jesse by his clothing. He said the person to whom he sold the rifle wore a surtout coat. Strang's coat would have looked similar to this:



Teaching Section 5

AFTERMATH

EDUCATIONAL OBJECTIVES

After completing this section, students should be able to:

1. Understand the sequence of events after the murder. (Level 1)
2. Recognize the different attitudes towards public execution in the 1820s. (Level 1)
3. Recognize the different attitudes towards capital punishment today. (Level 1)
4. Take a stance on the issue of capital punishment. (Level 2)
5. Develop a case for either Jesse Strang or Elsie Whipple. (Level 1)
6. Recognize how history keeps changing. (Level 2)
7. Understand why the Confession could be considered libelous. (Level 3)
8. Recognize that crimes are often popularized and romanticized. (Level 3)

TEACHING ACTIVITIES

Notes to Teachers

This section will examine attitudes towards public execution in the 1820s and capital punishment today. Students will discover what happened to Jesse Strang and Elsie Whipple and write a final essay about the event based on their own opinions. They will learn how history keeps changing when they read later accounts of the hanging.

Read the overview, "Public Executions," on page 62 and "Letters" and "Broadsides" in the Explanation of Documents to help you teach this section.

ACTIVITY 1 (Level 1)

Objective
- Understand the sequence of events after the murder.

Materials
- Information Sheet A
- Student Worksheet 1 (Time Line After Murder from Section 4)

1. Distribute Worksheet 1 from Section 4, and Information Sheet A to each student.
2. Fill in numbers 10 and 11 on the time line.
3. Discuss Jesse Strang's sentence.
4. Tell the students what happened to Elsie Whipple after Strang's death. (Refer to the overview, "Elsie Whipple.")

ACTIVITY 2 (Level 1 and 2)

Objectives
- Recognize the different attitudes towards public execution
- in the 1820s.
- Recognize the different attitudes towards capital punishment today.
- Take a stance on the issue of capital punishment.

Materials
- Information Sheets B, C, D
- Student Worksheet 1

Level 1:

1. Distribute Information Sheet B and C to each student and discuss the following questions:

    a. Where was Strang's execution held?

    b. How many people attended?
    (Point out that the final estimate from other newspapers was about 30-40,000 people.)

    c. What did Strang say he hoped the crowd would learn from his execution?

    d. What did Strang hold in his hand on the scaffold?

    e. What did the Argus criticize about public executions?

    f. What were Mr. Park's feelings about public executions?
    (See transcription on back of document.)

    g. What did Mr. Park say was especially painful to see?
    (See transcription on back of document.)

2. Distribute Worksheet 1 and Information Sheet D to each student.
    Review the answers as a class (see Answer Key).
    Emphasize: 1820s: issue of public execution
    1990s: issue of any execution

Level 2:

1. Students could write editorials or stage debates on capital punishment.

ACTIVITY 3 (Level 1)

Objective
- Develop a case for either Jesse Strang or Elsie Whipple.

Material
- Student Worksheet 2

1. Review these points with students before they write their final essay:

Case for Elsie	Case for Jesse
- Jesse used her to get her money.	- Elsie wanted control of her money and needed John dead.
- He implicated her because he hoped her friends would get their sentences changed.	- Elsie might have had an unhappy marriage.
- He might have also implicated her out of revenge because she confessed their affair.	- These were his dying words.
- Jesse is a murderer who changed his name and deserted his family. He can't be trusted.	- She admitted the affair.
- She had reasons for everything.	- Although his version wasn't proven, there were some parts of it that were verified by others. (letters, glass, Phoenix Bank bill)
- His version of her involvement was never proven, except for the affair.	

ACTIVITY 4 (Level 2)

Objective
- Recognize how history keeps changing.

Materials
- Information Sheet E

1. Students should read the newspaper articles from 1905 and 1967 and decide if they are primary or secondary records. They should then compare the two accounts of the hanging (faulty knot, broken rope). Ask students to try to verify these accounts in the 1827 Argus article on Information Sheet B. (Point out that, to date, no newspaper articles from 1827 have been found which confirm these later accounts of the hanging.)

2. Discuss some of the possible reasons why the story of the hanging was changed over time.

ACTIVITY 5 (Level 3)

Objective
- Understand why the Confession could be considered libelous.

Material
- Information Sheet F

1. Discuss the reasons why the Newark Sentinel considered the Confession "a gross outrage of justice."

2. Ask students: If Elsie were innocent, how would the Confession have affected her reputation?

ACTIVITY 6 (Level 3)

Objective
- Recognize that crimes are often popularized and romanticized.

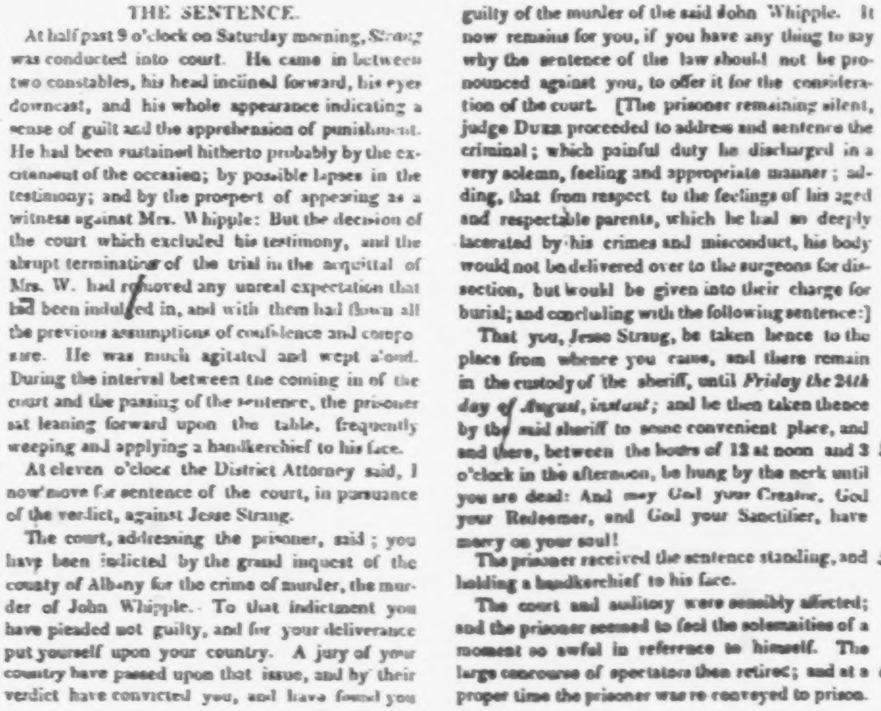
Material
- Information Sheet G

1. Discuss why this broadside might have been written about the murder and if the same popularizing and romanticizing of crime occurs today.

2. Ask students to find present day examples of this in television, movies, magazines, songs, books or other popular media.

Information Sheet A

The Albany Argus
Monday, August 6, 1827



THE SENTENCE.

At half past 9 o'clock on Saturday morning, Strang was conducted into court. He came in between two constables, his head inclined forward, his eyes downcast, and his whole appearance indicating a sense of guilt and the apprehension of punishment. He had been sustained hitherto probably by the excitement of the occasion; by possible lapses in the testimony; and by the prospect of appearing as a witness against Mrs. Whipple: But the decision of the court which excluded his testimony, and the abrupt termination of the trial in the acquittal of Mrs. W. had removed any unreal expectation that had been indulged in, and with them had flown all the previous assumptions of confidence and composure. He was much agitated and wept aloud. During the interval between the coming in of the court and the passing of the sentence, the prisoner sat leaning forward upon the table, frequently weeping and applying a handkerchief to his face.

At eleven o'clock the District Attorney said, I now move for sentence of the court, in pursuance of the verdict, against Jesse Strang.

The court, addressing the prisoner, said; you have been indicted by the grand inquest of the county of Albany for the crime of murder, the murder of John Whipple. To that indictment you have pleaded not guilty, and for your deliverance put yourself upon your country. A jury of your country have passed upon that issue, and by their verdict have convicted you, and have found you guilty of the murder of the said John Whipple. It now remains for you, if you have any thing to say why the sentence of the law should not be pronounced against you, to offer it for the consideration of the court. [The prisoner remaining silent, judge Duer proceeded to address and sentence the criminal; which painful duty he discharged in a very solemn, feeling and appropriate manner; adding, that from respect to the feelings of his aged and respectable parents, which he had so deeply lacerated by his crimes and misconduct, his body would not be delivered over to the surgeons for dissection, but would be given into their charge for burial; and concluding with the following sentence:]

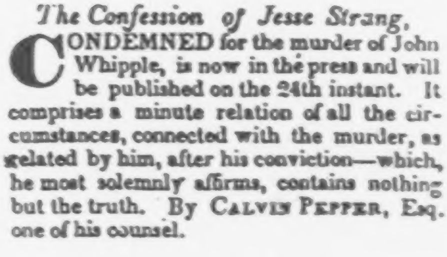
That you, Jesse Strang, be taken hence to the place from whence you came, and there remain in the custody of the sheriff, until *Friday the 24th day of August, instant*; and be then taken thence by the said sheriff to some convenient place, and and there, between the hours of 12 at noon and 3 o'clock in the afternoon, be hung by the neck until you are dead: And may God your Creator, God your Redeemer, and God your Sanctifier, have mercy on your soul!

The prisoner received the sentence standing, and holding a handkerchief to his face.

The court and auditory were sensibly affected; and the prisoner seemed to feel the solemnities of a moment so awful in reference to himself. The large concourse of spectators then retired; and at a proper time the prisoner was re-conveyed to prison.

Document 33

The Standard
August 16, 1827



The Confession of Jesse Strang,

CONDEMNED for the murder of John Whipple, is now in the press and will be published on the 24th instant. It comprises a minute relation of all the circumstances, connected with the murder, as related by him, after his conviction—which, he most solemnly affirms, contains nothing but the truth. By CALVIN PEPPER, Esq. one of his counsel.

Document 34

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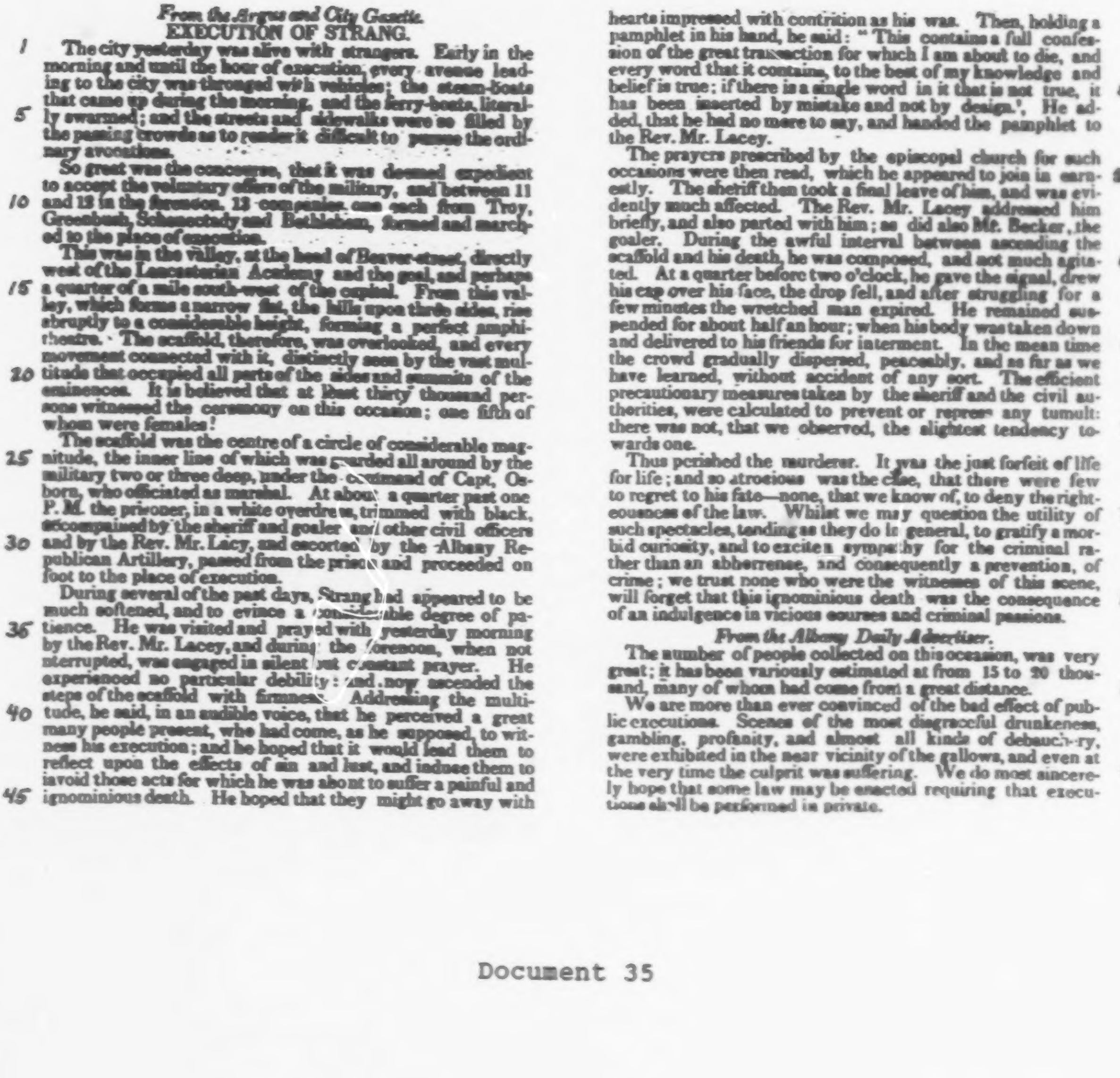
Information Sheet B

New-York American
August 28, 1827



From the Argus and City Gazette.

EXECUTION OF STRANG.

The city yesterday was alive with strangers. Early in the morning and until the hour of execution, every avenue leading to the city was thronged with vehicles; the steam-boats that came up during the morning, and the ferry-boats, literally swarmed; and the streets and sidewalks were so filled by the passing crowds as to render it difficult to pursue the ordinary avocations.

So great was the concourse, that it was deemed expedient to accept the voluntary offers of the military, and between 11 and 12 in the forenoon, 12 companies, one each from Troy, Greenbush, Schenectady and Bethlehem, formed and marched to the place of execution.

This was in the valley, at the head of Beaver-street, directly west of the Lancasterian Academy and the goal, and perhaps a quarter of a mile south-west of the capitol. From this valley, which forms a narrow flat, the hills upon three sides, rise abruptly to a considerable height, forming a perfect amphitheatre. The scaffold, therefore, was overlooked, and every movement connected with it, distinctly seen by the vast multitude that occupied all parts of the sides and summits of the eminences. It is believed that at least thirty thousand persons witnessed the ceremony on this occasion; one fifth of whom were females!

The scaffold was the centre of a circle of considerable magnitude, the inner line of which was guarded all around by the military two or three deep, under the command of Capt. Osborn, who officiated as marshal. At about a quarter past one P. M. the prisoner, in a white overdress, trimmed with black, accompanied by the sheriff and goaler and other civil officers and by the Rev. Mr. Lacy, and escorted by the Albany Republican Artillery, passed from the prison and proceeded on foot to the place of execution.

During several of the past days, Strang had appeared to be much softened, and to evince a considerable degree of patience. He was visited and prayed with yesterday morning by the Rev. Mr. Lacey, and during the forenoon, when not interrupted, was engaged in silent but constant prayer. He experienced no particular debility: and now ascended the steps of the scaffold with firmness. Addressing the multitude, he said, in an audible voice, that he perceived a great many people present, who had come, as he supposed, to witness his execution; and he hoped that it would lead them to reflect upon the effects of sin and lust, and induce them to avoid those acts for which he was about to suffer a painful and ignominious death. He hoped that they might go away with hearts impressed with contrition as his was. Then, holding a pamphlet in his hand, he said: "This contains a full confession of the great transaction for which I am about to die, and every word that it contains, to the best of my knowledge and belief is true; if there is a single word in it that is not true, it has been inserted by mistake and not by design.". He added, that he had no more to say, and handed the pamphlet to the Rev. Mr. Lacey.

The prayers prescribed by the episcopal church for such occasions were then read, which he appeared to join in earnestly. The sheriff then took a final leave of him, and was evidently much affected. The Rev. Mr. Lacey addressed him briefly, and also parted with him; as did also Mr. Becker, the goaler. During the awful interval between ascending the scaffold and his death, he was composed, and not much agitated. At a quarter before two o'clock, he gave the signal, drew his cap over his face, the drop fell, and after struggling for a few minutes the wretched man expired. He remained suspended for about half an hour; when his body was taken down and delivered to his friends for interment. In the mean time the crowd gradually dispersed, peaceably, and as far as we have learned, without accident of any sort. The efficient precautionary measures taken by the sheriff and the civil authorities, were calculated to prevent or repress any tumult: there was not, that we observed, the slightest tendency towards one.

Thus perished the murderer. It was the just forfeit of life for life; and so atrocious was the case, that there were few to regret to his fate—none, that we know of, to deny the righteousness of the law. Whilst we may question the utility of such spectacles, tending as they do in general, to gratify a morbid curiosity, and to excite a sympathy for the criminal rather than an abborrense, and consequently a prevention, of crime; we trust none who were the witnesses of this scene, will forget that this ignominious death was the consequence of an indulgence in vicious courses and criminal passions.

From the Albany Daily Advertiser.

The number of people collected on this occasion, was very great; it has been variously estimated at from 15 to 20 thousand, many of whom had come from a great distance.

We are more than ever convinced of the bad effect of public executions. Scenes of the most disgraceful drunkeness, gambling, profanity, and almost all kinds of debauchery, were exhibited in the near vicinity of the gallows, and even at the very time the culprit was suffering. We do most sincerely hope that some law may be enacted requiring that executions shall be performed in private.

Document 35

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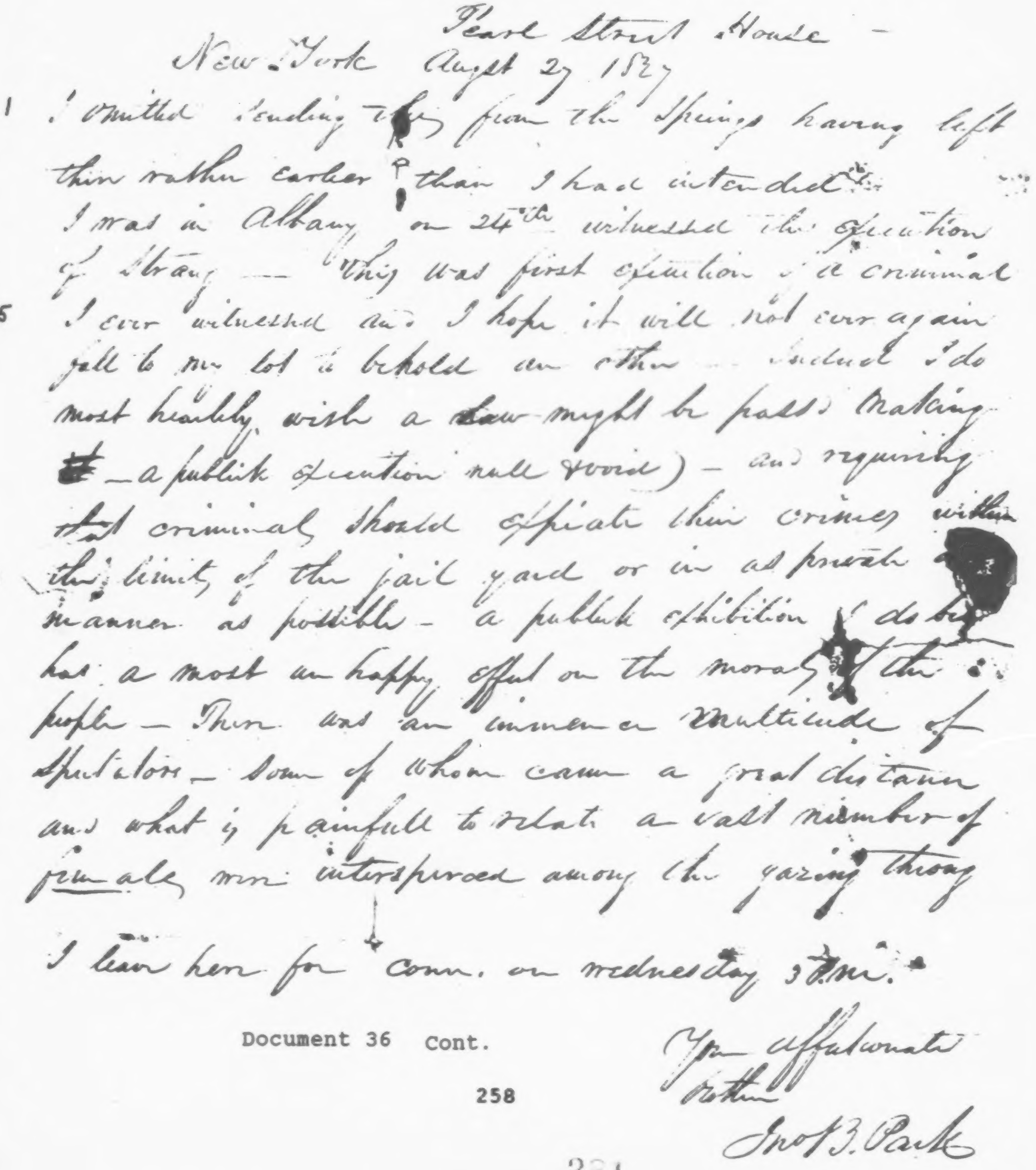
Information Sheet C

MR. PARK'S LETTER



Pearl Street House —
New York Augst 27 1827

I omitted sending this from the Springs having left there rather earlier than I had intended. I was in Albany on 24th witnessed the execution of Strang — this was first execution of a criminal I ever witnessed and I hope it will not ever again fall to my lot to behold another — indeed I do most heartily wish a law might be pass'd making ~~it~~ a publick execution null & void) — and requiring that criminals should expiate their crimes within the limits of the jail yard or in as private [illegible] manner as possible — a publick exhibition I do believe has a most unhappy effect on the morals of the people — There was an immense multitude of spectators — some of whom came a great distance and what is painfull to relate a vast number of females were interspersed among the gazing throng

I leave here for Conn. on Wednesday 3 P.M.

Your affectionate
Brother
Jno B. Park

Document 36 Cont.

TRANSCRIPTION

MR. PARK'S LETTER

(Portion of a letter to Miss Louisa Park,
Oxford, Chenango County, New York)

Pearl Street House

New York August 27, 1827

I omitted sending this from the Springs having left there rather earlier than I had intended.

I was in Albany on 24th witnessed the execution of Strang - This was first execution of a criminal I ever witnessed and I hope it will not ever again fall to my lot to behold an other - Indeed I do most heartily wish a law might be passed making - a publick execution null & void) - and requiring that criminals should expiate their crimes within the limits of the jail yard or in as private a manner as possible - a publick exhibition I do believe has a most un happy effect on the morals of the people - There was an immence multitude of spectators - some of whom came a great distance and what is painfull to relate a vast number of females were intersperced among the gazing throng.

I leave here for Conn. on Wednesday 3 P.M.

Your affectionate
brother
Jno B. Park

Document 36

Information Sheet D

CAPITAL PUNISHMENT IN THE U.S.

Capital punishment is punishment by death. Since the early 1800's, most executions have resulted from convictions for murder. The death penalty has also been imposed for such serious crimes as armed robbery, kidnapping, rape, and treason.

Many people oppose the death penalty, chiefly because they consider it cruel. Other people favor it because they believe it prevents crime. Criminologists have never established a direct relationship between the death penalty and the murder rate. Studies have shown no unusual increase in murders when capital punishment is abolished.

In the mid-1980's, 37 states of the United States had laws that permitted the death penalty. These laws were greatly influenced by a 1972 decision of the Supreme Court of the United States, which had banned the death penalty as it was then imposed. The court ruled that "the imposition and carrying out of the death penalty" was cruel and unusual punishment in violation of the Eighth Amendment to the Constitution. But the court left open the possibility that the death penalty might be constitutional—if imposed for certain crimes and applied uniformly.

After the 1972 decision, many state legislatures passed new capital punishment laws designed to satisfy the Supreme Court's requirements. Most of these laws limit the death penalty to murder and other specified crimes if they result in a person's death. Such crimes include armed robbery, hijacking, and kidnapping. The laws of several states specify the circumstances under which a judge or jury may impose the death penalty.

In 1976, the court upheld death sentences for three men convicted of murder under new laws in Florida, Georgia, and Texas. The court ruled that capital punishment for murder was "not unconstitutionally severe." However, the court struck down laws that made the death penalty *mandatory* (required) for certain crimes.

Many other countries, including most European and Latin-American nations, have repealed the death penalty since 1900. Canada abolished capital punishment in 1976. In Australia, the federal government and all of the six states except Western Australia have repealed the death penalty.

Capital punishment was widely used during the Middle Ages, especially for crimes against the state and church. In the 1700's, England had more than 200 capital offenses. Most were abolished in the 1800's. Great Britain abolished capital punishment on an experimental basis in 1965 and permanently abolished it in 1969.

In the United States, the number of executions had been dropping steadily even before the 1972 Supreme Court ruling outlawing the death penalty as it was then imposed. In 1935, 199 people were put to death. The number of executions dropped to seven in 1965, one in 1966, and two in 1967. There were no executions from 1968 through 1976. After the Supreme Court reapproved the use of the death penalty in 1976, executions resumed. Today, about 1,200 individuals sentenced to death are awaiting execution in the United States. Many of these people have appealed their sentences and are seeking executive reviews. George T. Felkenes

continued in next column

Capital punishment in the United States

This table shows the states that had capital punishment in 1988. The table also shows the method of execution used. Thirteen states and the District of Columbia did not have a death penalty.

State	Method of execution	State	Method of execution
Alabama	Electrocution	Nevada	Drug injection
Arizona	Gas chamber	New Hampshire	†
Arkansas	*	New Jersey	Drug injection
California	Gas chamber	New Mexico	Drug injection
Colorado	Gas chamber	North Carolina	§
Connecticut	Electrocution	Ohio	Electrocution
Delaware	†	Oklahoma	Drug injection
Florida	Electrocution	Oregon	Drug injection
Georgia	Electrocution	Pennsylvania	Electrocution
Idaho	‡	South Carolina	Electrocution
Illinois	Drug injection	South Dakota	Drug injection
Indiana	Electrocution	Tennessee	Electrocution
Kentucky	Electrocution	Texas	Drug injection
Louisiana	Electrocution	Utah	‡
Maryland	Gas chamber	Vermont	Electrocution
Mississippi	§	Virginia	Electrocution
Missouri	Gas chamber	Washington	†
Montana	†	Wyoming	§
Nebraska	Electrocution		

*Drug injection or electrocution.
†Drug injection or hanging.
‡Drug injection or firing squad.
§Drug injection or gas chamber

Source: U.S. Bureau of Justice Statistics.

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GALLUP POLL (JAN. 11-14, 1985)

	Favoring Death Penalty	*Opposing Death Penalty*	*No opinion*
College graduates	74%	18%	7%
Some college	76	16	8
High school graduates	75	19	6
Less than high school graduates	65	23	12

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Cont.

EXECUTIONS—1977–1985

Date	Defendant	State	Race	Race of Victim(s)
1/17/77	*Gary Gilmore	UT	W	W
5/25/79	John Spenkelink	FL	W	W
10/22/79	*Jesse Bishop	NV	W	W
3/9/81	*Steven Judy	IN	W	W
8/10/82	*Frank Coppola	VA	W	W
12/7/82	Charlie Brooks	TX	B	W
4/22/83	John Evans	AL	W	W
9/2/83	Jimmy Lee Gray	MS	W	W
11/30/83	Robert Sullivan	FL	W	W
12/14/83	Robert Wayne Williams	LA	B	B
12/15/83	John Eldon Smith	GA	W	W
1/26/84	Anthony Antone	FL	W	W
2/29/84	John Taylor	LA	B	W
3/14/84	James Autry	TX	W	W
3/16/84	James Hutchins	NC	W	W
3/31/84	Ronald O'Bryan	TX	W	W
4/5/84	Arthur Goode	FL	W	W
4/5/84	Elmo Sonnier	LA	W	W
5/10/84	James Adams	FL	B	W
6/20/84	Carl Shriner	FL	W	W
7/12/84	Ivon Stanley	GA	B	W
7/13/84	David Washington	FL	B	W/B
9/7/84	Ernest Dobbert	FL	W	W
9/10/84	Timothy Baldwin	LA	W	W
9/20/84	James Henry	FL	B	B
10/12/84	Linwood Briley	VA	B	W
10/30/84	Thomas Barefoot	TX	W	W
10/30/84	Ernest Knighton	LA	B	W
11/2/84	Velma Barfield	NC	W	W
11/8/84	Timothy Palmes	FL	W	W
12/12/84	Alpha Otis Stephens	GA	B	W
12/28/84	Robert Lee Willie	LA	W	W
1/4/85	David Martin	LA	W	W
1/9/85	Roosevelt Green	GA	B	W
1/11/85	Joseph Carl Shaw	SC	W	W
1/16/85	Doyle Skillern	TX	W	W
1/30/85	James Raulerson	FL	W	W
2/20/85	Van Roosevelt Solomon	GA	B	W
3/6/85	Johnny Paul Witt	FL	W	W
3/13/85	*Stephen Peter Morin	TX	W	W
3/20/85	John Young	GA	B	W
4/18/85	*James Briley	VA	B	B
5/15/85	Jesse de la Rosa	TX	H	W
5/29/85	Marvin Francois	FL	B	B
6/25/85	Charles Milton	TX	B	B
6/25/85	Morris Mason	VA	B	W
7/9/85	Henry Martinez Porter	TX	H	W
9/11/85	*Charles Rumbaugh	TX	W	W
10/16/85	*William Vandiver	IN	W	W
12/6/85	*Carroll Cole	NV	W	U

Source: NAACP Legal Defense and Educational Fund.

* Voluntary

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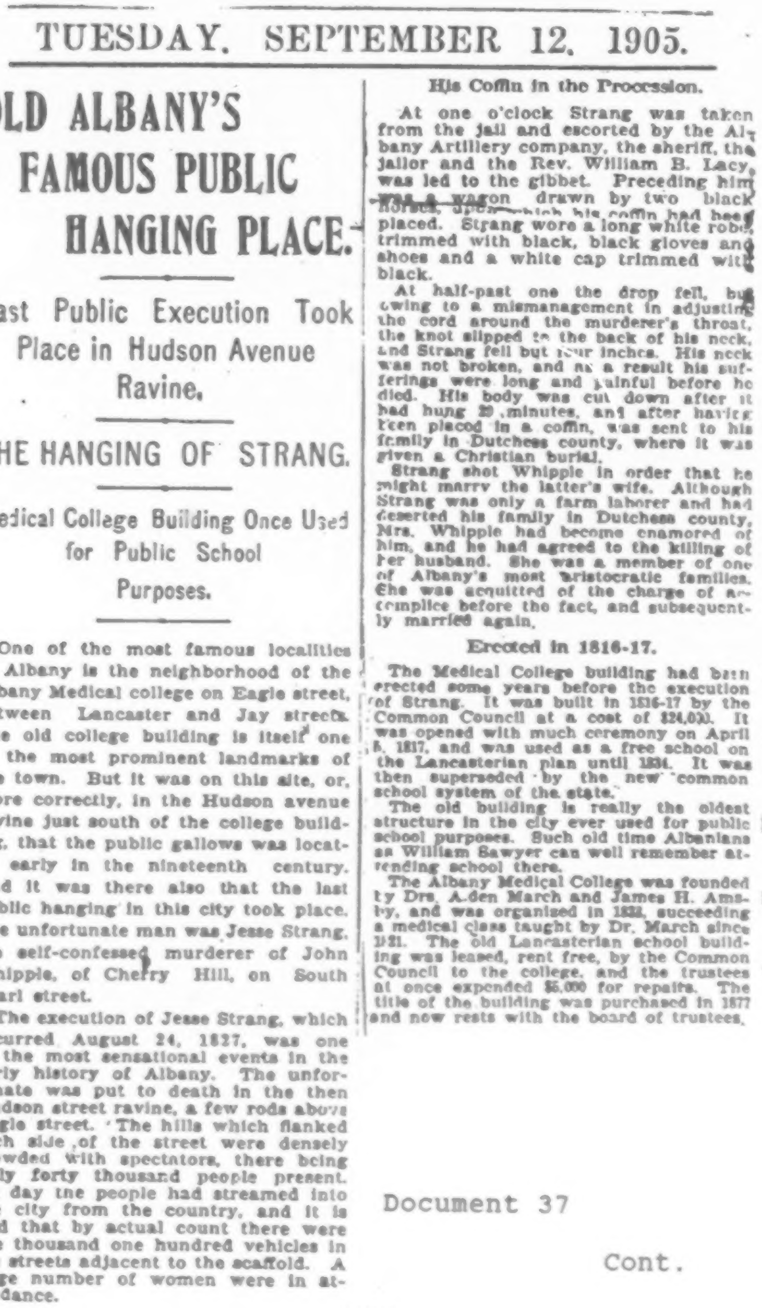
Information E

Albany Evening Journal



TUESDAY, SEPTEMBER 12, 1905.

OLD ALBANY'S FAMOUS PUBLIC HANGING PLACE.

Last Public Execution Took Place in Hudson Avenue Ravine.

THE HANGING OF STRANG.

Medical College Building Once Used for Public School Purposes.

One of the most famous localities in Albany is the neighborhood of the Albany Medical college on Eagle street, between Lancaster and Jay streets. The old college building is itself one of the most prominent landmarks of the town. But it was on this site, or, more correctly, in the Hudson avenue ravine just south of the college building, that the public gallows was located early in the nineteenth century. And it was there also that the last public hanging in this city took place. The unfortunate man was Jesse Strang, the self-confessed murderer of John Whipple, of Cherry Hill, on South Pearl street.

The execution of Jesse Strang, which occurred August 24, 1827, was one of the most sensational events in the early history of Albany. The unfortunate was put to death in the then Hudson street ravine, a few rods above Eagle street. The hills which flanked each side of the street were densely crowded with spectators, there being fully forty thousand people present. All day the people had streamed into the city from the country, and it is said that by actual count there were one thousand one hundred vehicles in the streets adjacent to the scaffold. A large number of women were in attendance.

His Coffin in the Procession.

At one o'clock Strang was taken from the jail and escorted by the Albany Artillery company, the sheriff, the jailor and the Rev. William B. Lacy, was led to the gibbet. Preceding him was a wagon drawn by two black horses, upon which his coffin had been placed. Strang wore a long white robe, trimmed with black, black gloves and shoes and a white cap trimmed with black.

At half-past one the drop fell, but owing to a mismanagement in adjusting the cord around the murderer's throat, the knot slipped to the back of his neck, and Strang fell but four inches. His neck was not broken, and as a result his sufferings were long and painful before he died. His body was cut down after it had hung 20 minutes, and after having been placed in a coffin, was sent to his family in Dutchess county, where it was given a Christian burial.

Strang shot Whipple in order that he might marry the latter's wife. Although Strang was only a farm laborer and had deserted his family in Dutchess county, Mrs. Whipple had become enamored of him, and he had agreed to the killing of her husband. She was a member of one of Albany's most aristocratic families. She was acquitted of the charge of accomplice before the fact, and subsequently married again.

Erected in 1816-17.

The Medical College building had been erected some years before the execution of Strang. It was built in 1816-17 by the Common Council at a cost of $24,000. It was opened with much ceremony on April 5, 1817, and was used as a free school on the Lancasterian plan until 1834. It was then superseded by the new common school system of the state.

The old building is really the oldest structure in the city ever used for public school purposes. Such old time Albanians as William Sawyer can well remember attending school there.

The Albany Medical College was founded by Drs. Alden March and James H. Amsby, and was organized in 1838, succeeding a medical class taught by Dr. March since 1821. The old Lancasterian school building was leased, rent free, by the Common Council to the college, and the trustees at once expended $5,000 for repairs. The title of the building was purchased in 1877 and now rests with the board of trustees.

Document 37

Cont.

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The Knickerbocker News
February 25, 1967

B5—THE KNICKERBOCKER NEWS, Albany, N. Y., Saturday, February 25, 1967

Charley Mooney: *Hanging Was a Public Affair*

Some of those South Mall construction workers may not realize it, but they're working pretty close to the site of Albany's old gallows, where the men convicted of murder were put to death in what closely approximated a carnival atmosphere.

The gallows stood in what was known as Hamilton Hollow, in a natural amphitheater roughly north of Elm Street, west of Eagle Street, and south of Hudson Avenue.

Mooney

In 1818 the state sent one James Hamilton, who had shot and killed a Major Birdsall, to his death but only after the condemned man had taken over the proceedings.

On the day set for the hanging, an old historical account says, upwards of 40,000 persons, from all parts of Albany and Rensselaer Counties, were on hand with box luncheons. It was a balmy day in June, and Hamilton gave the big crowd a friendly wave of the hand as he mounted the steps to the gibbet.

* * *

The noose was applied, and the trap was sprung, but nothing happened, for the rope broke. Hamilton gave the sheriff an assist by trying out a new rope, drawing himself up by his hands to test its strength. Then, obviously confident this one wouldn't break, he adjusted the noose himself and in a few seconds was dead.

* * *

NINE YEARS LATER just as big a crowd turned out Aug 24 1827 to see one Jesse Strang executed for the slaying of John Whipple at Kenwood. The historian recorded that event in this manner:

"At 1 p.m. Strang was taken from the city jail escorted by the sheriff, two jailors and the Albany Artillery Company, which played a dirge. A wagon, on which reposed Strang's coffin, was drawn behind the group by two black horses. Strang wore, for his final procession, a long white robe trimmed with black; black gloves and a white cap, trimmed with black."

It was obvious the sheriff wasn't too successful with his ropes in that era, for the one that had been tied to the noose broke, just as had the one in the Hamilton hanging. This time there was a longer delay, however, for it hadn't occurred to anyone that this rope would break and a messenger had to go all the way back to the jail for a replacement. And in the interim, while the spectators broke open their box lunches, Strang took a little breather in a chair someone found for him beside the gallows.

THE FREQUENCY with which the ropes were breaking, and the spectacle of a condemned man being forced to sit it out while a new one was enroute, led to an official demand that future hangings be moved indoors. It must have been a dark day for the spectators who obviously enjoyed such things, but Strang's actually became the last public execution.

Another one didn't come along until May 6, 1840, when Jacob Leddings went to his death in the old jail at Howard and Eagle Streets for the murder of his wife, Hannah, in their Bethlehem home.

On Jan. 31, 1851, the state sent Reuben Dunbar to the gallows—again in the old jail for the slaying of two children in the Town of Westerlo.

The city's last hanging took place Aug. 20, 1879—this one in the city's new jail on Maiden Lane.

The man who holds the dubious distinction of being the last to die by the noose was Hilaire Latremouille. The state charged that on Mar. 26, 1879, three days after he had completed a sentence in Clinton Prison, Dannemora, he strangled a girl at Dunsbach Ferry. He was arrested at Whallonsburg while attempting to flee to Canada.

Any day now, state buildings will begin to go up over Hamilton Hollow, where the hangman once reigned supreme.

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Information Sheet F

Newark Sentinel of Freedom and New Jersey Advertiser
September 18, 1827

STRANG'S CONFESSION.

We copy the foregoing article, because, the pamphlet alluded to having been published, the mischief is done and cannot be remedied; and our readers must have the curiosity at least, to learn the nature of the allegations made by Strang against Mrs. Whipple. We cannot, however, conscientiously refrain from remarking that we regard the publication as one not entitled to credit, and as being, not only a libel for which Strang's "junior counsel" ought to be held responsible, but as a gross outrage on justice and propriety and decency.—What is the real character of the publication? It is a deliberate charge of *murder*,—a charge, against a female of murdering her husband—made and published under the auspices of a gentleman of the bar, upon the testimony of a man convicted and executed for the same murder! The idea that such a publication, and such an accusation under the form of the confession of an executed felon, can be made with impunity, is horrible.—If such a publication be proper, nay if it is to be tolerated at all, what is to prevent the fabrication and circulation of the foulest calumnies against even the purest individuals, as often as a condemned murderer or other felon can be found hardened enough in iniquity to lend the sanction of his name? If this publication by Strang's Counsel is allowable, why would it not have been so if it had related to a long life of crime, and the confessing murderer had laid his polluted and polluting hand on the reputation and peace of a hundred families? Where is the principle to stop? What is it but a license to publish any libel of any nature, against any individual of the community, provided it purport to be the *confession* of a man convicted of crime?

It is not that we believe Mrs. Whipple to be innocent of all that is imputed to her, that we have been led to these remarks. She is guilty of much that was *proved* on her trial, and may be guilty of much more which the facts proved give dreadful reason to suspect. But the assertions of a murderer, even the dying assertions of such a murderer as Strang, ought not to change the *suspicion* of her guilt into *belief*. It is a monstrous perversion of justice to take the word of such a man in such a case. Neither the sentence of death nor its impending execution works such a moral purification as to warrant the credence which he claims. Public justice forbids that a part of its [illegible] should be thus evaded, by giving credit to the words of one whom it has decreed unworthy to live, and that the heaviest portion of it should be thus transferred from the convict dead to the acquitted living.

But the publication is made and cannot be recalled. It will fasten, with a vampyre's fang, upon the miserable object of its aim, until her life-blood ceases to flow. And yet it is possible she is wholly innocent of the murder of her husband—it is highly probable she is NOT guilty to the extent she is accused. Nevertheless she will be condemned—is condemned—on the strength of the declarations of the murderer, interested to divide with the wretched cause of his fate, the heavy guilt for which he has suffered death.—*Worcester Yeo.*

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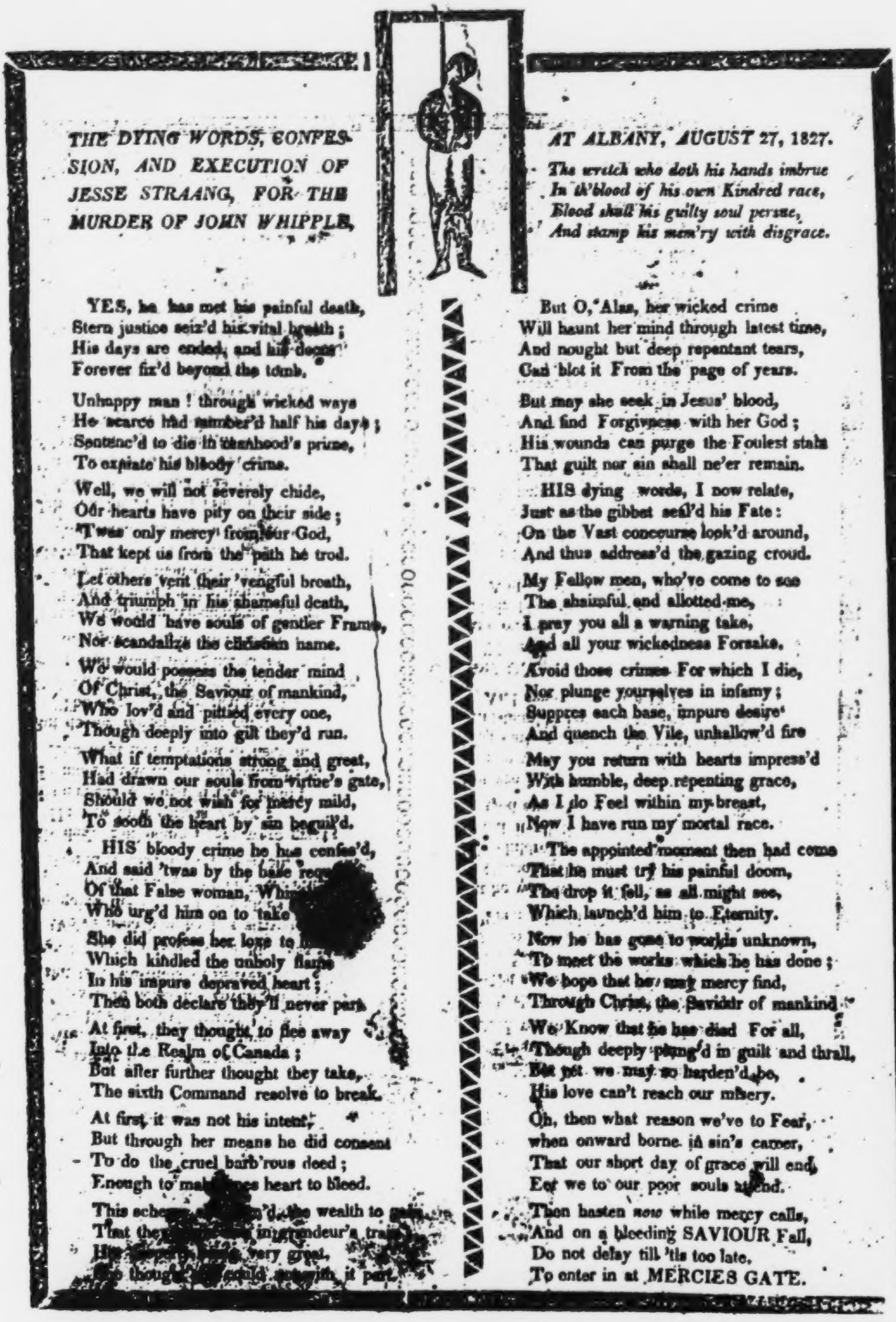
Information Sheet G

BROADSIDE



THE DYING WORDS, CONFESSION, AND EXECUTION OF JESSE STRAANG, FOR THE MURDER OF JOHN WHIPPLE, AT ALBANY, AUGUST 27, 1827.

The wretch who doth his hands imbrue
In th'blood of his own Kindred race,
Blood shall his guilty soul persue,
And stamp his mem'ry with disgrace.

YES, he has met his painful death,
Stern justice seiz'd his vital breath;
His days are ended, and his doom
Forever fix'd beyond the tomb.

Unhappy man! through wicked ways
He scarce had number'd half his days;
Sentenc'd to die in manhood's prime,
To expiate his bloody crime.

Well, we will not severely chide,
Our hearts have pity on their side;
'Twas only mercy from our God,
That kept us from the path he trod.

Let others vent their 'vengful breath,
And triumph in his shameful death,
We would have souls of gentler Frame,
Nor scandalize the christian name.

We would possess the tender mind
Of Christ, the Saviour of mankind,
Who lov'd and pitied every one,
Though deeply into gilt they'd run.

What if temptations strong and great,
Had drawn our souls from virtue's gate,
Should we not wish for mercy mild,
To sooth the heart by sin beguil'd.

HIS bloody crime he has confess'd,
And said 'twas by the base [illegible]
Of that False woman, [illegible]
Who urg'd him on to take [illegible]

She did profess her love to [illegible]
Which kindled the unholy flame
In his impure depraved heart;
Then both declare they'll never part.

At first, they thought to flee away
Into the Realm of Canada;
But after further thought they take,
The sixth Command resolve to break.

At first, it was not his intent,
But through her means he did consent
To do the cruel barb'rous deed;
Enough to [illegible] heart to bleed.

This scheme [illegible]'d, the wealth to gain,
That they [illegible] in grandeur's train,
His [illegible] very great,
[illegible] thought [illegible] could [illegible] with it part.

But O, Alas, her wicked crime
Will haunt her mind through latest time,
And nought but deep repentant tears,
Can blot it From the page of years.

But may she seek in Jesus' blood,
And find Forgivness with her God;
His wounds can purge the Foulest stain
That guilt nor sin shall ne'er remain.

HIS dying words, I now relate,
Just as the gibbet seal'd his Fate:
On the Vast concourse look'd around,
And thus address'd the gazing croud.

My Fellow men, who've come to see
The shaimful end allotted me,
I pray you all a warning take,
And all your wickedness Forsake.

Avoid those crimes For which I die,
Nor plunge yourselves in infamy;
Suppres each base, impure desire
And quench the Vile, unhallow'd fire

May you return with hearts impress'd
With humble, deep repenting grace,
As I do Feel within my breast,
Now I have run my mortal race.

The appointed moment then had come
That he must try his painful doom,
The drop it fell, as all might see,
Which launch'd him to Eternity.

Now he has gone to worlds unknown,
To meet the works which he has done;
We hope that he may mercy find,
Through Christ, the Saviour of mankind.

We Know that he has died For all,
Though deeply plung'd in guilt and thrall,
But yet we may so harden'd be,
His love can't reach our misery.

Oh, then what reason we've to Fear,
when onward borne in sin's career,
That our short day of grace will end,
Ere we to our poor souls attend.

Then hasten *now* while mercy calls,
And on a bleeding SAVIOUR Fall,
Do not delay till 'tis too late,
To enter in at MERCIES GATE.

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Name____________________

Student Worksheet 1

CAPITAL PUNISHMENT IN THE UNITED STATES

1. Define capital punishment.

2. Why do people favor the death penalty?

3. Why do people oppose it?

4. Has the death penalty lowered the crime rate?

5. Why did the Supreme Court rule that the death penalty was unconstitutional as it was carried out in 1972?

6. Did they still allow it for certain crimes?

7. Name 3 countries that abolished (did away with) the death penalty.

   ________________, ________________, ________________

8. Using the chart "Capital Punishment in the United States" answer the following questions.

   a. Name three methods of execution used today

   ______________ and ______________ and ______________.

   b. How many states do not have a death penalty?

9. Using the "Gallop Poll, 1985" chart answer the following questions.

   a. Fact or Opinion? Most people surveyed are for the death penalty.

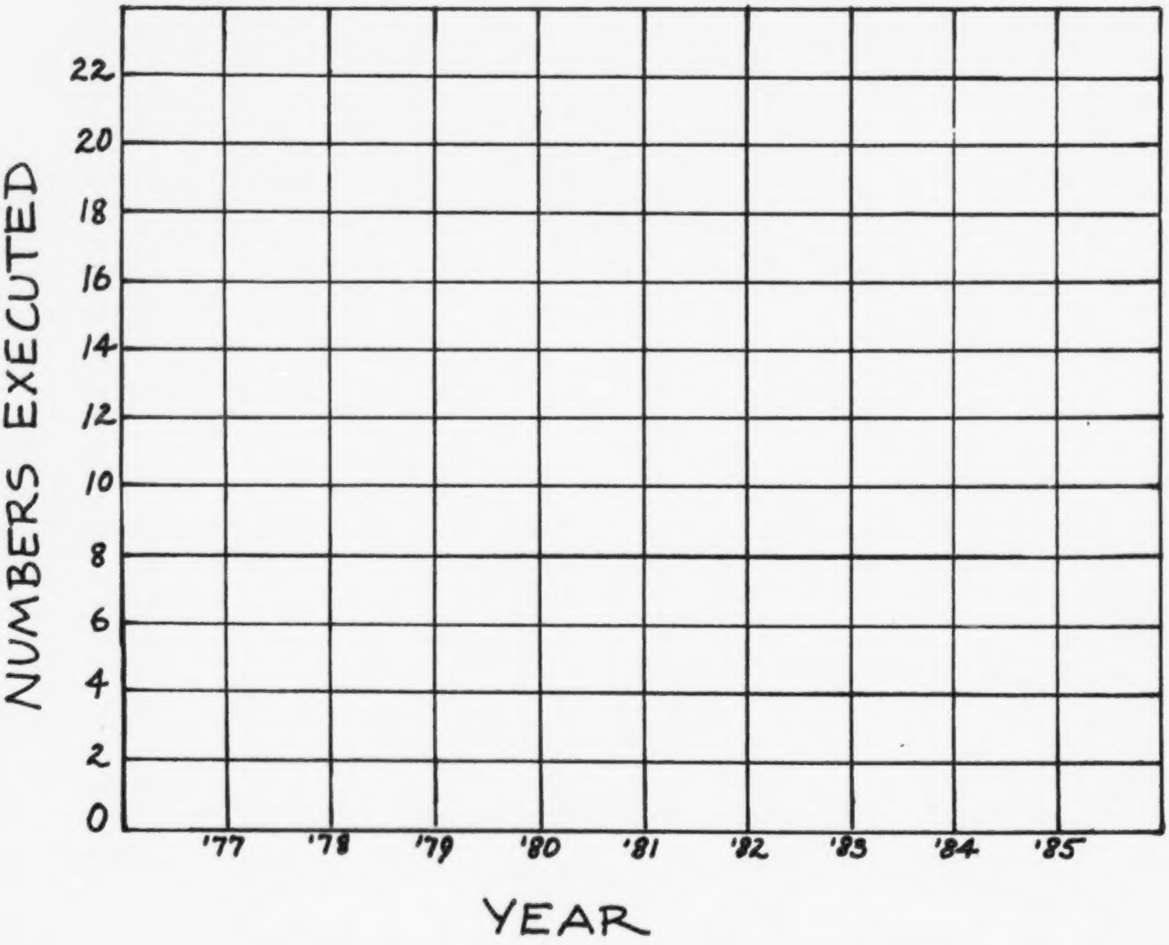
   b. True or False? The amount of education a person has seems to affect their attitude toward capital punishment.

   c. Fact or Opinion? The death penalty is the best way to stop crime.

Cont.

10. Use the "Executions 1977-85" chart to answer the following questions.

    a. Make up a line graph using the statistics.



    b. From this chart it would appear the number of executions is going ________.

Name____________________

Student Worksheet 2

FINAL ESSAY

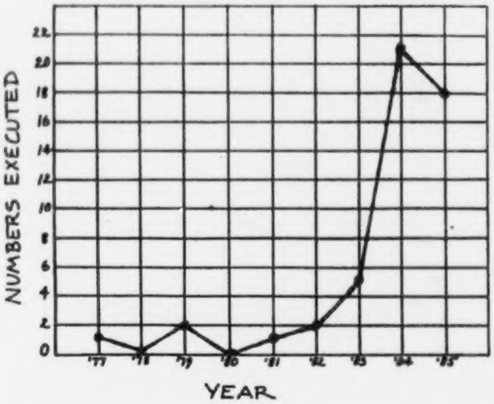
Do you believe Jesse or Elsie? Write a paragraph of at least 100 words stating your opinion. Back up your opinion with at least three facts we have discussed or read.

ANSWER KEY TO STUDENT WORKSHEETS

WORKSHEET 1 (Activity 2)

1. Punishment by death.
2. They believe it prevents crime.
3. They consider it cruel.
4. No
5. It constituted cruel and unusual punishment (violation of Eighth Amendment).
6. Yes
7. Canada, Australia, Great Britain
8. a) Drug injection, electrocution, gas chamber
   b) 13 States and the District of Columbia
9. a) F; b) T; c) O

10. a)



b) Up

WORKSHEET 2 (Activity 3)

Answers vary

GLOSSARY

back-house - (backhouse) a small building behind the main one; especially, a privy.

bar - a railing that encloses the place (or the place so enclosed) where the judges or lawyers sit.

bench - the place where judges sit in a court.

bespoke - to arrange in advance.

bill of inditement - a formal statement of an accusation of criminal offense presented by a prosecutor to a Grand Jury. A bill of inditement must then be approved by the Grand Jury and sent on (returned) to the proper court.

brace of pistols - a pair of pistols.

breech - the part of the gun behind the barrel.

bush - a thicket of shrubs or bushes; shrubby woodland.

chancery - see Court of Chancery.

condign - deserved or suitable.

connexion - (connection) The phrase, to run in connection, means the meeting of one means of transportation by another at an appointed time and place in order to take on passengers.

Corde - (Corday) Charlotte Corday was a young Frenchwoman who murdered Jean Paul Marat (see **Marat**). She was a supporter of the moderate Girondin party. In 1793, she gained admittance to his apartment, under the pretense of bringing information to help him in his campaign against the Girondins, and stabbed him in his bath.

cordwainer - a shoemaker; also a worker in cordwain (cordovan leather).

counsel - one who gives legal advice; also used collectively for all the lawyers engaged on the same case.

Court of Chancery - the New York State Court of Chancery was a court of equity jurisdiction which means it provided remedies in disputes which common law courts couldn't adjudicate. The Court of Chancery handled such cases as trusteeships, mortgage foreclosures and divorces. It was abolished in 1847. Today, the State Supreme Court handles these type of cases.

Court of General Sessions - a superior criminal court with jurisdiction over all felony cases except capital cases. A Court of General Sessions would receive a bill of inditement from a Grand Jury. They would then send a capital case, like Jesse Strang's, to a Court of Oyer and Terminer.

Court of Oyer and Terminer - was a superior criminal court with jurisdiction over felony cases and with exclusive jurisdiction over capital cases, such as murder. Oyer and terminer means a hearing and determining.

coutenance - the face and facial features; also means approval or support.

crape - (crepe) a thin, crinkled cloth of silk, cotton, wool, etc. Black crepe was worn as a sign of mourning.

croud - crowd.

d. - stands for penny or pence. 6d. would mean sixpence. See **pence**.

epistolary - carried on by letters.

forenoon - the time from sunrise to noon; morning.

fore part - first or early part.

gaol - a jail.

garret - the unfinished room or rooms just below the roof of a building; the attic.

gatage - (gateage) means the use of gates. It may possibly refer to a cemetery expense.

General Sessions - see **Court of General Sessions**.

gibbet - a gallows.

gilt - guilt.

grand inquest - a Grand Jury.

Grand Jury - a jury, at common law, of 12 to 23 persons, designated to inquire into alleged violations of the law in order to determine whether the evidence is sufficient to warrant a trial.

great coat - (greatcoat) a heavy overcoat.

imbrue - to drench.

Jno. - an abbreviation for the name John.

jun. - an abbreviation for junior.

ketches - catches or fasteners (for a door).

livery stable - a stable where horses and vehicles can be had for hire.

Marat - the French journalist and political leader Jean Paul Marat (1743-1793). He was a radical leader during the French Revolution (see **Corde**).

mustee - a person one of whose parents is white and the other mulatto.

necessary - a privy or outhouse.

oil of spike - an oil obtained from the distillation of the plant, French lavender (Lavendula spica). It was used in veterinary medicine and painting.

oyer and terminer - see **Court of Oyer and Terminer**.

pan - the part of the flintlock that held the firing powder in a gun.

pantaloons - men's tight trousers fastened below the calf or strapped under the boots.

patch - a small piece of greased leather or cloth used as wadding for a rifle ball.

pence - plural of penny.

penny - an English coin equal to one twelfth of a shilling.

pound - an English money equal to 20 shillings or 240 pence. Denoted by the sign £.

powder horn - (powderhorn) a container for carrying gun powder, made of an animal's horn.

principal - a person who commits a crime.

progenitors - forefathers.

public house - a tavern or inn.

quire - a set of four sheets of paper doubled to form eight leaves.

rod - a measure of length equal to 5 1/2 yards, or 16 1/2 feet.

shaimful - shameful.

shewed - showed.

shilling - an English money equal to twelve pennies (pence) or one twentieth of a pound. Denoted by the sign / after the numeral.

shores - chores.

sixpence or sixpenny piece - value of six pennies; half a shilling.

small pox - (smallpox) most likely refers to chicken pox, a less serious viral infection than small pox.

staples - a piece of metal bent into a u-shape and driven into a door post to serve as a hold for a hook, etc, to secure a door.

stocks - a large, wide, stiff cravat or neckcloth.

stoop - a raised platform at the entrance of a house with steps and, usually, seats. Any small porch or shed at the entrance to a house.

sulphur - (sulfur) a non-metallic substance usually found in crystalline form. When it was refined, it was used medicinally as a laxative, as well as to reduce swelling or cause sweating.

superscribed - to write a name, address, etc. on the outside of a letter, parcel, etc.

surtout - a man's long overcoat.

taking us up - arresting us.

thrall - slavery, bondage.

turnkey - a person who has charge of the keys of a prison; a jailer.

viz - an abbreviation for videlicet meaning: namely; that is.

wafer - a thin disk of dried paste used for sealing letters, usually made of flour, mixed with water, gum and coloring matter.

wench - a female servant; may also refer to a female slave.

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Ron Tolke. Illustrations on pages 162, 163, 196, 197, 225.

Aria Watrous. Illustrations on pages 187, 188, 247.

DIFFERENT VOICES
DIFFERENT TRUTHS

THE 1827 MURDER AT CHERRY HILL

> *"I never knew history could be so interesting."*
>
> *"It was like a soap opera, but real."*
>
> *"My favorite part was reading the confession and trials because I love crime and murder."*
>
> *"It was cool to hear both sides of the story and choose who you think was telling the truth."*
>
> *— Comments from seventh-grade students whose teacher had used* ***Different Voices*** *in the classroom*

Field-tested by seventh and eighth grade teachers and found to be a great way to excite students about history, this unit is an innovative model for the interdisciplinary teaching of social history at the junior high school level. Crimes, such as murder, reveal much about the values and fabric of a society. The Cherry Hill murder is especially fascinating to students because it involves elements of romance, mystery, and the drama of public punishment.

Different Voices contains facsimiles of 40 documents associated with the 1827 murder at the Cherry Hill farm in Albany, New York. These include the murderer's confession, newspaper accounts, letters, broadsides, and legal records. An accompanying guide for teachers features student activities, answer keys, overviews of major themes and characters, an explanation of documents, a glossary and other helpful materials.

Students act as detectives, examining documents, analyzing evidence and drawing conclusions. In the process, they are introduced to historiography — how the past is interpreted — and learn about women's roles and legal rights, slavery in New York, capital punishment, the law, and lifestyles in the early nineteenth century.

> *"Students . . . realize there is no one explanation to what happened in the past, unlike answers at the end of textbook chapters."*
> *— Susan Owens, Social Studies teacher, Goff Middle School, East Greenbush, New York*
>
> *"**Different Voices** is a thoroughly researched and well written teaching unit. . . ."*
> *— John Gould, Social Studies teacher, Chatham Middle School, Chatham, New York*
>
> *"This teaching unit . . . offers the teacher a wide range of activities that meet the individual needs of the class."*
> *— Martin Schumacher, Social Studies teacher, St. James School, Albany, New York*

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